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V O T E S
A N D
P R O C E E D I N G S
O F T H E
G E N E R A L A S S E M B L Y
O F T H E
C O L O N Y O F N E W - J E R S E Y .

AT A SESSION BEGAN AT PERTH-AMBOY,
WEDNESDAY, AUGUST 19th 1772, AND CONTINUED
UNTIL THE 26th DAY OF SEPTEMBER FOLLOWING.

BEING THE FIRST SESSION OF THE TWENTY-SECOND ASSEMBLY
OF NEW-JERSEY.

N/2



BURLINGTON,
PRINTED BY ISAAC COLLINS, PRINTER TO THE KING, FOR
THE PROVINCE OF NEW-JERSEY, MDCCLXXII.

Votes, &c. of the General Assembly.

NAMES OF THE REPRESENTATIVES.

C ITY of <i>Perth-Amboy,</i>	Cortland Skinner, <i>Speaker,</i>	John Combs,
<i>Middlesex,</i>	John Wetherill,	John Moores,
<i>Monmouth,</i>	Edward Taylor,	Richard Lawrence,
<i>Essex,</i>	Stephen Crane,	Henry Garritse,
<i>Somerset,</i>	Hendrick Fisher,	John Roy,
<i>Bergen,</i>	Theunis Dey,	Johannes Demareft,
<i>Morris,</i>	Jacob Ford,	William Winds,
City of <i>Burlington,</i>	James Kinsey,	Thomas P. Hewlings,
County of <i>Burlington,</i>	Henry Paxfon,	Anthony Sykes,
<i>Gloucester,</i>	John Hinchman,	Robert F. Price,
<i>Salem,</i>	Grant Gibbon,	Benjamin Holmes,
<i>Cape-May,</i>	Jonathan Hand,	<i>Elk Eldridge</i>
<i>Hunterdon,</i>	Samuel Tucker,	John Mehelm,
<i>Cumberland,</i>	John Sheppard,	Theophilus Elmer,
<i>Suffex,</i>	Thomas Van Horne,	Nathaniel Pettit.

22^d April

PERTH-AMBOY, *Wednesday, August 19, 1772.*

PURSUANT to His Majesty's Writs for electing Representatives to assist in General Assembly, returnable at *Perth-Amboy* on the second of *April* last, and to several Prorogations, from Time to Time, until this Day, the Members returned met accordingly.

Mr. *Skinner* and Mr. *Kinsey* were desired to wait on the Governor, inform him thereof, and desire he will please to appoint some Person or Persons to qualify the Members.

Mr. *Skinner* reported, that Mr. *Kinsey* and himself waited on his Excellency accordingly, who was pleased to say he would send the *Dedimus Potestatem* by Mr. *Pettit* the Secretary.

The Secretary attending with a *Dedimus*, authorising *Frederick Smyth*, *Charles Read*, and *David Ogden*, Esquires, *Charles Pettit* and *Cortland Skinner*, Esquires, and each and every of them, to tender and administer

nister an Oath or Affirmation to the several Representatives returned, and to cause them to make and subscribe the Declaration according to Law; the same was produced and read, and then *Cortland Skinner*, Esquire, being qualified before *Charles Pettit*, Esquire, *John Combs*, *John Wetherill*, *John Moores*, *Edward Taylor*, *Stephen Crane*, *Henry Garritse*, *Hendrick Fisher*, *John Roy*, *Theunis Dey*, *Johannes Demarest*, *Jacob Ford*, *William Winds*, *Thomas Polegreen Hewlings*, *Robert Friend Price*, *Grant Gibbon*, *Benjamin Holme*, *Theophilus Elmer*, *Jonathan Hand*, *Eli Eldridge*, *Samuel Tucker*, *John Mehelm*, *Thomas Van Horne*, and *Nathaniel Pettit*, Esquires, were sworn; and *Richard Lawrence*, *James Kinsey*, *Henry Paxson*, *Anthony Sykes*, *John Hinchman*, and *John Sheppard*, Esquires, being of the People called Quakers, were duly affirmed, and they all made and subscribed the Declaration according to Law, before *Cortland Skinner*, Esquire.

The Clerk of the Crown laid before the House the several Writs for electing Representatives, with their Returns.

Mr. *Fisher* and Mr. *Wetherill* were desired, by the Members, to wait on his Excellency and inform him of the Qualification of the Members, and desire Leave to choose a Speaker.

Mr. *Fisher* reported, that Mr. *Wetherill* and himself waited on the Governor accordingly, who was pleased to say the Members might proceed to the Choice of a Speaker :

Whereupon the Members proceeded to the Choice of a Speaker, when *Cortland Skinner*, Esq. was chosen, and placed in the Chair accordingly.

Ordered,

That Mr. *Dey* and Mr. *Taylor* do wait upon his Excellency and inform him of the Choice of a Speaker, and desire to know when the House shall attend his Excellency with their Speaker, for his Approbation.

Mr. *Dey* reported, that Mr. *Taylor* and himself waited on his Excellency, according to Order, who was pleased to say he would receive the House with their Speaker To-morrow Morning at Ten o'Clock.

The House adjourned till To-morrow Morning Ten o'Clock.

Thursday, August 20, 1772.

The House met.

A Message from His Excellency by the Deputy Secretary.

Gentlemen,

HIS Excellency is in the Council Chamber, and ready to receive the Presentation of your Speaker :

Whereupon Mr. Speaker left the Chair and with the House went to wait upon his Excellency; and being returned, Mr. Speaker resumed the Chair and reported, that the House had waited on his Excellency, and had presented him as their Speaker, and that his Excellency was pleased to approve of their Choice; that he had requested of the Governor, that the House might be protected at all Times in their usual Privileges, which was readily granted. Afterwards his Excellency was pleased to make a Speech to the Council and House of Assembly, of which

which Mr. Speaker said he had, to prevent Mistakes, obtained a Copy ; which, by Order of the House, was read, and ordered a second Reading, and is in the Words following, *viz.*

Gentlemen of the Council, and Gentlemen of the General Assembly,

IT affords me particular Pleasure to have it in my Power, at the opening of this Session, to congratulate you on the Addition which, by his Majesty's gracious Allowance, has been made to the Number of Representatives of the Good People of this Province. An Event at which I the more rejoice, as I flatter myself it will be a Means of uniting all the Parts of the Colony, in promoting many Schemes of publick Utility, which have hitherto been too much neglected. A fatal Sentiment has long unhappily prevailed in this Province, that every Measure which must be attended with Expence, and has not a Tendency to benefit every Part of the Province equally, ought not to be adopted by the Legislature. It is, however, scarcely possible to contrive any Scheme for the publick Advantage, which can have so extensive an Effect. In the Nature of Things, some Situations must be more immediately benefited than others ; yet whatever procures an Advantage to any Part of the Province, which it did not enjoy before, is ultimately a Benefit to the Whole. For want of a due Attention to this Truth, this Province, which has equal natural Advantages with any of the neighbouring Colonies, is, though one of the most antient, shamefully behind all the others in its Trade, Roads, Bridges, publick Buildings, and such other Improvements as denote a sensible and spirited People. Every unnecessary Expence should indeed be carefully avoided, but it is neither consulting the Interest nor Reputation of the Province to decline any Expence which the publick Good does at any Time require.

Gentlemen of the General Assembly,

In the Year 1765, the Assembly thought proper, on my Recommendation, to grant a Bounty upon the raising of Flax and Hemp, and planting of Mulberry Trees in this Colony for raising of raw Silk. The Bounty on the two first Articles has, I am told, been productive of very good Effects ; but the Bounty on the latter has, I believe, never been applied for, owing to the People not being, till lately, sensible of the Advantages which might accrue to them from the Culture of Silk. From the Success of the Trials which were made last Year in this Colony and *Pennsylvania* (a particular Account of which is printed in the Minutes of Assembly) there can be no doubt but that it would be greatly to the Interest of the Province to encourage the raising of that Article : I cannot therefore but recommend it as a Matter worthy of your particular Attention ; and, for the same Reason, I must likewise request that you will continue the Bounty on Flax and Hemp, which is near expiring, and grant others on the making of Wines and Pot-ash in this Colony.

In providing for the Support of Government, I would wish you to consider how greatly inadequate the usual Salaries allowed the publick Officers of this Province are to the increased Expences of Living, and to the increased Abilities of the Inhabitants, since the Time they were

first established. An ill-judged Parsimony has hitherto prevailed in this Respect; but I should think myself wanting in real Regard for the Province, if I did not warn you at this Time against a Conduct, the Continuance of which will most probably be found to be as impolitic as it is unbecoming the Honour of the Province you represent. On this Head I am to inform you, that it has been signified to me, that the Chief-Justice having been under a Necessity of representing the Insufficiency of his Support to the King, "His Majesty has been graciously pleased to give him an adequate Salary, which Mark of his Majesty's Attention to the Dignity and Independance of that Officer, it is hoped will give great Satisfaction; and as it is his Majesty's Pleasure that he should no longer accept any Allowance from the Assembly, the Province will be relieved from any further Expence on Account of that Establishment."

Gentlemen of the Council, and Gentlemen of the General Assembly,

I have now only to express my Wishes, that an uninterrupted Harmony and good Understanding may prevail in all your Deliberations for the publick Welfare, and to assure you that you shall ever find me ready to exert myself to the utmost in whatever may best promote the true Interest of this Colony.

COUNCIL CHAMBER, }
August 20, 1772. }

WM. FRANKLIN.

Resolved,

That *Henry Richards* be appointed Door-keeper to this House.

Ordered also,

That *Andrew Robinson* be Sergeant at Arms to this House.

Resolved,

That the Yeas and Nays of the Members be entered in the Minutes, if requested by any three Members.

Resolved,

That the Speaker, with any two Members of this House, be a sufficient Number to meet and adjourn, from Time to Time; but not less than twenty be a sufficient Number to proceed to any other Business; nor less than twenty-four, when any Money is to be raised, or applied.

Resolved,

That Dr. *Benjamin Franklin* be, and he is hereby appointed Agent of this Colony.

Ordered,

That *Isaac Collins* do print the Votes of this House, being first examined and signed by the Speaker.

Resolved,

That a Committee of Grievances do set every *Wednesday*, if Occasion; and that the said Committee be a Committee of the whole House.

Ordered,

That the Doors of this House be open; and all Persons may, if they think proper, be present at any publick Debate, under the same Rules and Orders observed in the House of Commons.

The

The Secretary laid before the House several Papers relative to the Speech, and also a Disallowance of two Acts passed in 1770; which were read; and are as follows, *to wit*,

At the COURT of *St. James's* the 15th of *January* 1772.

PRESENT,

The KING's MOST EXCELLENT MAJESTY.

LORD PRESIDENT,	VISCOUNT BARRINGTON,
DUKE OF QUEENSBERRY,	VISCOUNT HINCHINBROOKE,
LORD CHAMBERLAIN,	LORD NORTH,
EARL of DENBIGH,	GENERAL CONWAY,
EARL of SANDWICH,	WELBORE ELLIS, ESQ.
EARL of LITCHFIELD,	SIR GILBERT ELLIOT,
EARL of ROCHFORD,	GEORGE ONSLOW, ESQ.
EARL of BRISTOL,	GEORGE RICE, ESQ.
VISCOUNT FALMOUTH,	

Whereas by Commission under the Great Seal of *Great-Britain*, the Governor, Council and Assembly of his Majesty's Province of *New-Jersey*, are authorized and impowered to make, constitute and ordain Laws, Statutes and Ordinances for the public Peace, Welfare and Good Government of the said Province; which Laws, Statutes and Ordinances are to be, as near as conveniently may be, agreeable to the Laws and Statutes of this Kingdom, and are to be transmitted for his Majesty's Royal Approbation or Disallowance. And Whereas, in Pursuance of the said Powers, two Acts were passed in the said Province in *October* 1770, and transmitted, entitled as follows, *viz.*

A Supplementary Act to an Act, entitled, An Act for the better enabling of Creditors to recover their just Debts from Persons who abscond themselves.

An Act to enable Persons who are his Majesty's liege Subjects, either by Birth or Naturalization, to inherit and hold Real Estates, notwithstanding the Purchase, Grant, or Devise were made before Naturalization, within this Colony.

Which Acts, together with a Representation from the Lords Commissioners for Trade and Plantations thereupon, having been referred to the Consideration of a Committee of the Lords of his Majesty's Most Honourable Privy Council, the said Lords of the Committee did this Day report as their Opinion to his Majesty, that the said Acts ought to be disallowed. His Majesty taking the same into Consideration, was pleased, with the Advice of his Privy Council, to declare his Disallowance of the said Acts; and pursuant to his Majesty's Royal Pleasure thereupon expressed, the said Acts are hereby disallowed, declared void and of none Effect. Whereof the Governor or Commander in Chief of his Majesty's said Province of *New-Jersey* for the Time being, and all others whom it may concern are to take Notice, and govern themselves accordingly.

STEPHEN COTTRELL.

A Petition was presented to the House from a Number of the Inhabitants of the Southern Ward of *Perth-Amboy*, setting forth, and complaining as a Grievance, that *John Combs*, Esq. one of the Representatives returned for the City of *Perth-Amboy*, is a Non-resident, and that his Estate lies in the County of *Monmouth*; and praying the House to take the same into Consideration, &c. which was read, and ordered a second Reading.

Mr. *Eli Eldridge* (late Sheriff of *Cape-May*) having returned himself one of the Representatives for *Cape-May*, which appears from the Return of the Writ and Indenture, the House took the same into Consideration, and, after some Debate, the House deferred the Determination thereon until the Afternoon.

The House adjourned till Three, *P. M.*

The House met.

The House resumed the Consideration of the Return of *Eli Eldridge* as a Representative for the County of *Cape-May*, and, after some Debate thereon, on the Question, Whether the said *Eli Eldridge* is legally returned or not? It passed in the Negative, as follows,

Y E A S.
Mr. *Wetherill*,
Mr. *Lawrence*,
Mr. *Hand*,
Mr. *Elmer*.

N A Y S.
Mr. *Moore*,
Mr. *Taylor*,
Mr. *Crane*,
Mr. *Garritse*,
Mr. *Fisher*,
Mr. *Roy*,
Mr. *Dey*,
Mr. *Demarest*,
Mr. *Ford*,
Mr. *Winds*,
Mr. *Kinsley*,
Mr. *Hewlings*,

N A Y S.
Mr. *Paxson*,
Mr. *Sykes*,
Mr. *Hinchman*,
Mr. *Price*,
Mr. *Gibbon*,
Mr. *Holme*,
Mr. *Tucker*,
Mr. *Mehelm*,
Mr. *Sheppard*,
Mr. *Van Horne*,
Mr. *Pettit*.

Resolved,

That his Seat be vacated, and the Speaker issue his Warrant to the Clerk of the Crown, for a Writ to issue for the Choice of a Representative in his Place.

The Petition against *John Combs*, who is returned as one of the Representatives of the City of *Perth-Amboy*, being read the second Time,
Ordered,

That the Parties be heard before the House on *Monday* next, at Three of the Clock in the Afternoon.

Mr. *Combs* having moved for Leave of Absence;

Ordered,

That he have Leave till *Monday* next.

A Petition was presented to the House from sundry Inhabitants of the Counties of *Essex*, *Morris*, and *Bergen*, praying a Law to enable the several Owners of the Meadows and low Lands, lying near and adjoining the River *Passaick*, to remove certain Obstructions of the Course of said River, &c. which was read, and ordered a second Reading.

Ordered,

That Mr. *Fisher* and Mr. *Ford* be a Committee to inspect the Minutes of the former House of Representatives, and report what Business was referred for further Consideration.

Ordered,

Ordered,

That Mr. *Crane*, Mr. *Wetherill*, and Mr. *Kinsley*, be a Committee to inspect what Laws are expired, or near expiring, and make Report to the House.

A Petition was presented by *William Throckmorton*, an insolvent Debtor, praying a Law for his Relief, &c. which being read ; on the Question, ordered a second Reading.

A Petition was presented to the House from sundry Freeholders and Inhabitants of *Essex* and *Bergen*, setting forth, that the stopping up the River *Passaick* is greatly prejudicial to them, both in Fishing and Navigation ; and praying a Law to remedy the same ; which was read, and ordered a second Reading.

A Petition was presented by divers Freeholders and Inhabitants of the County of *Burlington*, praying an Emission of Paper Currency ; which was read, and ordered a second Reading.

A Petition was presented by the Grand Inquest for the Body of the County of *Burlington*, setting forth many Inconveniences attending the Importation of Convict Servants into this Colony, and praying a Law to remedy the same ; which was read, and ordered a second Reading.

The House adjourned till To-morrow Morning Nine o'Clock.

Friday, August 21, 1772.

The House met.

A Petition was presented by sundry Inhabitants of the City and County of *Burlington*, praying that a Toll-Bridge may be established over *Croffwicks* Creek ; which was read, and ordered a second Reading.

Six several Petitions from the principal Inhabitants of the City and County of *Burlington* were presented, praying a Law to abolish Fairs in said City ; which were read, and ordered a second Reading.

A Petition was presented from divers Merchants and Inhabitants of the County of *Burlington* praying a Law for the better regulating the packing of Beef and Pork ; which was read, and ordered a second Reading.

Two Petitions were presented from the Owners and Possessors of the Marsh or Meadow on both Sides of *Rapapa* Creek, in the County of *Gloucester*, praying a Law to erect a Bank, Dam, and Water-works, to prevent the Tide from overflowing the same ; also one other Petition opposing it ; which were read, and ordered a second Reading.

A Petition was presented from the Owners of Meadows and Marshes lying on *English's* Creek, in the County of *Burlington*, praying a Repeal or Alteration of the 8th Section of a Law obtained at the last Sessions, for stopping out the Tide from overflowing said Meadows, &c. also another Petition against it ; which were read, and ordered a second Reading.

A Petition was presented from the Owners and Possessors of the Meadow

dow and Swamp lying on a Branch of *Alloways* Creek, in the County of *Salem*, praying a supplementary Act to an Act, entitled *An Act to enable the Owners and Possessors of said Meadows, to keep up and maintain the Bank, Dam, and other Water-works in the said Meadows, &c.* which was read, and ordered a second Reading.

Whereas the bringing in of Petitions, for private Bills, at any Time during a Session of Assembly, too often impedes the public Business,

Resolved,

That no Petitions for private Bills shall be received during the Continuance of this Assembly, unless the same be delivered in, together with a Draught of the Act prayed for, within the first ten Days of any future Sessions.

His Excellency's Speech was read the second Time, and committed to a Committee of the whole House.

The House accordingly resolved itself into a Committee of the whole House on his Excellency's Speech, and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported, that the Committee had made some Progress in the Matters to them referred, and desired Leave to sit again; to which the House agreed.

The House adjourned till Three, *P. M.*

The House met.

The House again, according to Order, resolved itself into a Committee of the whole House on his Excellency's Speech, and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported, that the Committee had gone through the Matters to them referred, and had come to the following Resolutions, which he was ready to report, whenever the House would please to receive the same.

Ordered,

That the Report be made immediately;

Whereupon Mr. *Fisher* reported the Resolutions of the Committee, as follows.

1. *Resolved,*

That an humble Address be presented to his Excellency, in answer to his Speech: To which the House agreed.

2. *Resolved,*

That the Government of this Colony be honourably supported, from the first Day of *October* next, to the first Day of *October*, 1773: To which the House agreed.

3. *Resolved,*

That it is the Opinion of this Committee, a Bounty on raising Mulberry Trees, which will expire on the first Day of *October* next, be further continued: And, on the Question, Whether the House agrees thereto, or not? It passed in the Negative, as follows—

Y E A S.

Mr. *Kinsley*,

Mr. *Hewlings*,

Mr. *Paxson*,

Mr. *Price*,

Mr. *Hand*,

Mr. *Sheppard*,

Y E A S.

Mr. *Elmer*,

Mr. *Van Horne*,

Mr. *Pettit*.

N A Y S.

Mr. *Wetherill*,

Mr. *Moore*,

Mr. *Taylor*,

Mr. *Lawrence*,

Mr. *Garritse*,

Mr. *Fisher*,

Mr. *Roy*,

Mr. *Dey*,

N A Y S.

Mr. *Demarest*,

Mr. *Ford*,

Mr. *Winds*,

Mr. *Sykes*,

Mr. *Hinchman*,

Mr. *Gibbon*,

Mr. *Holme*.

Ordered,

That Mr. *Fisher*, Mr. *Wetherill*, Mr. *Kinsley*, Mr. *Crane*, and Mr. *Ford*, be a Committee to prepare and bring in the Draught of an Address to his Excellency, in Answer to his Speech.

Ordered,

That Mr. *Paxson*, Mr. *Tucker*, Mr. *Lawrence*, Mr. *Gibbon*, and Mr. *Price*, be a Committee to prepare and bring in the Draught of a Bill for Support of Government.

Ordered,

That Mr. *Fisher*, Mr. *Hinchman*, Mr. *Gibbon*, Mr. *Hewlings*, Mr. *Moore*s and Mr. *Pettit*, or any three of them, be a Committee to join a Committee of the Council, to settle the Eastern Treasurer's Accounts, and burn the Cancelled Money in his Hands, and make report to the House.

Ordered,

That Mr. *Dey* and Mr. *Winds* do inform the Council thereof, and desire them to appoint a Committee for that Purpose, together with the Time and Place of meeting.

Mr. *Fisher*, from the Committee appointed to inspect the Minutes of the former House of Representatives, and report what Business was referred for further Consideration, made the following report :

1. A Petition for *Morris* Spring Road.
2. The Landing Bridge Petition.
3. A Bill for the Relief of the Poor.
4. A Bill for regulating Roads and Bridges.
5. The Encouragement of raising raw Silk.
6. *Reuben Runyon's* Account.

Ordered,

That Mr. *Kinsley*, Mr. *Crane*, and Mr. *Tucker*, be a Committee to bring in a Bill for the Settlement and Relief of the Poor.

Ordered,

That Mr. *Hinchman*, Mr. *Sykes*, Mr. *Ford*, Mr. *Gibbon*, and Mr. *Sheppard*, be a Committee to bring in a Bill for regulating Roads and Bridges.

Ordered,

That Mr. *Hinchman*, Mr. *Tucker*, Mr. *Taylor*, Mr. *Price*, Mr. *Holme*, and Mr. *Van Horne*, or any three of them, be a Committee to adjust all Publick Accounts which may come before the House this Session, and to meet a Committee of the Council to settle the Province Lottery Accounts ;

Ordered,

That Mr. *Dey* and Mr. *Winds* do inform the Council thereof, and desire they will appoint a Committee for that Purpose, together with the Time and Place of meeting.

The House adjourned till To-morrow Morning Nine o'Clock.

Saturday, August 22, 1772.

The House met.

The

The Petition of sundry Inhabitants of the City and County of *Burlington*, praying a Law for a Toll-bridge over *Croffwicks* Creek, was read the second Time ;

Ordered,

That the same be referred to the next Session at *Burlington*.

The Petition for and against a Law to erect a Bank, Dam, and other Water-works, to prevent the Tide from overflowing the Meadows and Marshes on a Branch of *Rapapa* Creek, in the County of *Gloucester* ; was read the second Time ;

Ordered,

That the same be referred to the next Session at *Burlington*.

Mr. *Dey* reported, that Mr. *Winds* and himself delivered the Messages with them intrusted to *Stephen Skinner*, Esq. one of the Council.

The Petition for and against a Law to repeal or alter the 8th Section of a Law obtained at the last Session for stopping out the Tide from overflowing the Marshes and Meadows on *English's* Creek, in the County of *Burlington* ; was read the second Time,

Ordered,

That the Parties be heard before the House on *Friday* next, the 28th Instant, at Ten o'Clock in the Forenoon.

A Petition was presented by *Benjamin Ayers*, an insolvent Debtor in the Gaol of *Cumberland* County, praying a Law for his Relief, &c. which was read. On the Question, ordered a second Reading.

On Motion made by Mr. *Paxson*,

Ordered,

That he have Leave to bring in a Bill, at the next Session of Assembly, for regulating the Tanning of Leather in this Colony.

The Petition from the Owners and Possessors of the Marsh, Meadow and Swamps, on a Branch of *Alloways* Creek, in the County of *Salem*, praying a Law to enable the Owners of said Meadows to keep up and maintain the Bank, Dam, and other Water-works in said Meadows ; was read the second Time,

Ordered,

That the Petitioners have Leave to bring in a Bill :

Whereupon Mr. *Gibbon*, in Behalf of the Petitioners, brought in a Bill, entitled, *A Supplementary Act to an Act, entitled, An Act, &c.* which was read, and ordered a second Reading.

The House adjourned till *Monday* Morning Ten o'Clock.

Monday, August 24, 1772.

The House met.

A Petition was presented by a Number of Inhabitants of *Middlesex* County, setting forth the Inconveniences of Shops being kept at Mills in said County, and praying a Law to prohibit the same ; which was read, and ordered a second Reading.

A Petition was presented by the Inhabitants of *Bridgewater*, in the County of *Somerset*, praying a Law to revive and continue an Act for repairing

repairing their Roads by Tax, &c. which was read, and ordered a second Reading.

The Petition from the Inhabitants and Merchants of *Burlington* County, praying a Law for the better regulating the packing of Beef and Pork; was read the second Time,

Ordered,

That Mr. *Paxson*, Mr. *Hewlings*, Mr. *Tucker*, Mr. *Mehelm* and Mr. *Demarest* be a Committee to prepare and bring in the Draught of a Bill accordingly.

The Bill, entitled, *A Supplementary Act to an Act, entitled, an Act to enable the Owners and Possessors of the Meadows and Swamps on a small Branch of Alloways Creek, in the County of Salem, to keep up and maintain the Dams, Banks, &c. in said Meadows, &c.* was read the second Time, and committed to Mr. *Sheppard* and Mr. *Hand*.

The Petition from the Grand Inquest of the County of *Burlington*, praying a Law to prevent the Importation of Convicts into this Colony; was read the second Time,

Ordered,

That Mr. *Kinsley*, Mr. *Sykes* and Mr. *Price* be a Committee to prepare and bring in a Bill accordingly.

The House adjourned till Two, P. M.

The House met.

The Petitioners from *Deerfield* and *Hopewell*, in the County of *Cumberland*, praying a Law for building a Bridge over *Cohansey* Creek, having had Leave to bring in a Bill at this Session pursuant to the Prayer of the said Petitioners; and it now appearing that Opposition is intended to the said Bill; and both Parties agreeing in delaying the Matter until the next Session at *Burlington*;

Ordered,

That the Parties for and against the said Petitions be heard before the House at the next Session at *Burlington*.

A Petition was presented by *Cornelius Neefie* of *Bergen* County, setting forth his bad Circumstances, and praying Leave to make a Lottery for his Relief; which was read,

Ordered,

That the said Petition lie on the Table.

A Petition was presented from sundry Inhabitants of *Essex*, *Morris*, and *Bergen*, praying a Law to enable the Owners of the Meadows and low Lands, adjoining the River *Passaick* and its Branches, to remove the several Obstructions of the free Passage and Course of said River; which was read, and ordered a second Reading.

A Petition was presented by *William Stelle* setting forth sundry Things as Grievances, and praying Relief; which was read,

Ordered,

That the said Petition do lie on the Table.

The House, according to Order, resumed the Consideration of the Petition against *John Combs*, Esq. and the Petitioners neglecting to attend, the House took the same into Consideration, and having inspected the Laws of the Colony referred to in the Petition; on the Question,

D

Resolved,

Resolved, Nem. Con.

That the said *John Combs*, Esq. is not disqualified by Law from having a Seat in this House;

Ordered,

That he take his Seat accordingly.

Mr. *Fisher*, from the Committee appointed to prepare the Draught of an Address to his Excellency, brought in a Draught accordingly; which was read, and ordered a second Reading.

Mr. *Sheppard*, from the Committee to whom the Bill, entitled, *A Supplementary Act to an Act, entitled, An Act to enable the Owners and Possessors of the Meadows and Swamps on a small Branch of Alloways Creek, to keep up and maintain the Dam, Banks, &c. in said Meadows*, was committed, reported the same without Amendment, and the same being read the third Time; on the Question,

Resolved,

That the same do pass.

Ordered,

That Mr. *Hinchman* and Mr. *Hewlings* do carry the said Bill to the Council for Concurrence.

The House adjourned till To-morrow Morning Nine o'Clock.

Tuesday, August 25, 1772.

The House met.

A Petition was presented by the Inhabitants of *Bedminster*, in the County of *Somerset*, praying a Law to revive and continue the Act for repairing their Highways by Tax, &c. which was read, and ordered a second Reading.

Ordered,

That Mr. *Fisher*, Mr. *Mehelm* and Mr. *Moore*s be a Committee to prepare and bring in a Bill, to prevent the Exportation of unmerchantable Flour to foreign Markets, &c.

Four Petitions were presented from a Number of Inhabitants of *Essex* and *Bergen*, praying a Law to raise the Sum of £. 1050 by Lottery, &c. to cover the Road with Gravel, leading from *Suffex*, *Morris*, *Essex*, and *Bergen*, to *New-York* by way of *Paulus-Hook*; which were read, and ordered a second Reading.

A Petition was presented from the Freeholders and Inhabitants of *Somerset* County, for Reasons therein set forth, praying that a Law may not be passed for building a Bridge over *Raritan* River at *Bound-Brook*; which was read, and ordered a second Reading.

The Draught of an Address to his Excellency was read the second Time, and committed to a Committee of the whole House; the House accordingly resolved itself into a Committee on the Address to his Excellency; Whereupon Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported, that the Committee had gone through the Address to his Excellency, and had made several Amendments thereto, which

which he was ready to report whenever the House would please to receive the same ;

Ordered,

That the Report be made immediately :

Whereupon Mr. *Fisher* reported the Address with several Amendments, and the same being read,

Ordered,

That the said Address be engrossed.

Mr. *Hinchman* reported, that Mr. *Hewlings* and himself delivered the Bill, with them intrusted, to the Speaker in Council.

The House adjourned till Two, P. M.

The House met.

Mr. *Fisher*, from the Committee appointed for that Purpose, brought in a Bill, entitled, *An Act to prevent the Exportation of unmerchantable Flour to foreign Markets* ; which was read, and ordered a second Reading.

A Petition was presented from, *John George Felthausen*, a Foreigner, praying a Law for his Naturalization ; which was read, and ordered a second Reading.

A Petition was presented by the several Owners of the Meadows and Marshes lying on *Affiskunk* Creek in the Limits of the City of *Burlington*, praying a Law to enable said Owners to stop out the Tide from overflowing the said Marshes ; which was read, and ordered a second Reading.

A Petition was presented by *Daniel Wainwright*, setting forth that two of the Judges of the Inferior Court of Common Pleas of *Monmouth*, had discharged an Insolvent Debtor, contrary to Act of Assembly, and praying Relief ; which was read,

Ordered,

That the said Petition lie on the Table, and that the Petitioner apply to the Courts of Law for Redress.

Mr. *Kinsey*, from the Committee appointed for that Purpose, brought in a Bill, entitled, *An Act to prohibit the Importation of Persons into this Colony, who have been convicted of Crimes in the neighbouring Governments* ; which was read, and ordered a second Reading.

A Message from the Council by Mr. *Skinner*.

Ordered,

THAT Mr. *Stevens*, Mr. *Stockton*, and Mr. *Coxe*, or any two of them, be a Committee to meet a Committee of the House of Assembly, to adjust all publick Accounts which may come before the House this Session ; and also to settle the Province Lottery Accounts ; and that the said Committees do meet for the Purposes aforesaid, at the House of *Elijah Dunham*, on *Thursday* next, at four o'Clock in the Afternoon.

By Order of the House,

CHA. PETTIT, D. Clerk.

Ordered,

That Mr. *Ogden*, Mr. *Stevens*, and Mr. *Lawrence*, or any two of them,

them, be a Committee to meet a Committee of the House of Assembly, to settle the Accounts of the Eastern Treasurer, and burn the cancelled Money in his Hands, and make Report thereof to this House; and that the said Committees do meet for the Purposes aforesaid, at the said Treasurer's House on *Thursday* next, at Ten o'Clock in the Forenoon.

By Order of the House,

CHA. PETTIT, *D. Clerk.*

The Petitions from fundry Inhabitants of *Essex, Morris, and Bergen*, praying a Law to enable the Owners of the Meadows and low Lands, adjoining the River *Passaick* and its Branches, to remove the Obstructions of the Course of said River, &c. were read the second Time,

Ordered,

That the Petitioners have Leave to bring in a Bill.

The House adjourned till To-morrow Morning Nine o'Clock.

Wednesday, August 26, 1772.

The House met.

A Petition was presented by a Number of Inhabitants of the City of *Burlington*, praying that the Fairs in said City may not be abolished, &c. which was read, and ordered a second Reading.

A Petition was presented by a Number of Freeholders of the County of *Somerset* praying a Law for an Emission of Paper Money, on Loan, &c. which was read, and ordered a second Reading.

Mr. *Kinsley*, from the Committee appointed for that Purpose, brought in a Bill, entitled, *An Act for the Settlement and Relief of the Poor*; which was read, and ordered a second Reading.

The Bill, entitled, *An Act to prohibit the Importation of Persons into this Colony, who have been convicted of Crimes in the neighbouring Governments*, was read the second Time,

Ordered,

That the same be committed to Mr. *Gibbon* and Mr. *Mehelm*.

The Bill, entitled, *An Act to prevent the Exportation of unmerchantable Flour to foreign Markets*, was read the second Time; on the Question,

Ordered,

That the same be engrossed.

The House adjourned till Three, *P. M.*

The House met.

The Petition of *John George Felthausen*, a Foreigner, praying a Law for his Naturalization, was read the second Time.

Ordered,

That the Petitioner have Leave to bring in a Bill:

Whereupon Mr. *Fisher*, in Behalf of the Petitioner, brought in a Bill, entitled, *An Act to naturalize John George Felthausen*; which was read, and ordered a second Reading.

The

The Petition of a Number of Inhabitants of *Middlesex*, praying a Law to prohibit Shops being kept at Mills, &c. was read the second Time,
Ordered,

That the said Petition lie on the Table.

The Petition from the Owners of Meadows and Marshes on *Affiskunk* Creek, within the Limits of the City of *Burlington*, praying a Law to stop out the Tide from overflowing the same; was read the second Time,
Ordered,

That the Petitioners have Leave to bring in a Bill.

Whereupon Mr. *Kinsley*, in Behalf of the Petitioners, brought in a Bill, entitled, *An Act to enable the Owners and Possessors of the Meadows and Tide Marsh lying on Affiskunk Creek, &c. to maintain a Bank, Dam, &c. to prevent the Tide from overflowing the same*; which was read and ordered a second Reading.

Six several Petitions for abolishing the Fairs in the City of *Burlington*, and one other Petition for continuing them, were read the second Time; and, on the Question,

Ordered,

That the Petitioners have Leave to bring in a Bill for abolishing the Fairs in *Burlington*.

A Petition was presented, by a Number of Inhabitants of *Middlesex* and *Somerſet*, praying a Law to enable them to complete the Bridge already begun at *Raritan* Landing, across the River, by Tax or otherwise, &c. which was read, and ordered a second Reading.

The Engrossed Address to his Excellency was read and compared:

Ordered,

That Mr. Speaker do sign the same.

Ordered,

That Mr. *Kinsley* and Mr. *Hewlings* do wait on his Excellency and desire to know when he will please to be waited on by the House with their Address.

Mr. *Gibbon*, from the Committee to whom was referred the Bill, entitled, *An Act to prohibit the Importation of Persons into this Colony, who have been convicted of Crimes, &c.* reported the same without any Amendment; and the same being read the third Time, on the Question,

Resolved,

That the same do pass.

Ordered,

That Mr. *Paxson* and Mr. *Gibbon* do carry the same to the Council for Concurrence.

Mr. *Kinsley* reported, that Mr. *Hewlings* and himself waited on his Excellency with the Message of the House to know when he would be attended with their Address, who was pleased to say the House should hear from him.

A Petition was presented by a Number of Inhabitants of *Morris-Town*, in the County of *Morris*, praying a Law to prevent the destroying

ing Deer in said Township, for the Space of five Years ; which was read, and ordered a second Reading.

A Memorial was presented by *Charles Pettit*, Esq. praying an Allowance for extraordinary Services done, as Secretary and Clerk of the Council ; which was read, and ordered a second Reading.

A Message from his Excellency, by Mr. Secretary *Pettit*.

MR. Speaker, his Excellency is in the Council Chamber, ready to receive the Address of the House.

Whereupon Mr. Speaker left the Chair, and, with the House, went to wait upon his Excellency ; and being returned, Mr. Speaker resumed the Chair, and reported that the House had waited on his Excellency with their Address, in these Words, *viz.*

To His Excellency WILLIAM FRANKLIN, Esq. Captain-General and Governor in Chief in and over the Colony of New-Jersey, and Territories thereon depending in America, Chancellor and Vice-Admiral in the same.

The Humble ADDRESS of the REPRESENTATIVES of the said Colony, in General Assembly met.

May it please your Excellency,

WE, His Majesty's dutiful and loyal Subjects, the Representatives of the Colony of *New-Jersey*, in General Assembly convened, truly sensible of the Advantages resulting to the Good People of the Colony, by His Majesty's gracious Allowance of the Act for enlarging the Number of the Representatives, receive your Excellency's Congratulations with great Pleasure, and rejoice at this fresh Instance of the King's paternal Regard to us.

Whenever any Schemes are recommended to the House, the Utility of which appears more than adequate to the Charge of an Experiment, and such as the Ability of the Colony will admit of, we hope your Excellency will find the present Assembly ever ready to consult the true Interest of the Colony, and to exert themselves in supporting every salutary Measure.

Fully determined to consider the general Welfare of the Colony, without injurious Attachments to any Part, the fatal Sentiment, which your Excellency is pleased to say hath too much prevailed in the Province, we think will find no Place in our House ; and we flatter ourselves that our future Conduct will evince our Inclinations to be correspondent with our present Profession.

As the Act mentioned by your Excellency to have passed the Legislature for the raising a Bounty on Flax, Hemp, and Mulberry Trees, as far as it regards the two first, which we conceive to be the most material Objects of our Notice and Encouragement, will not expire until the End of the Session of Assembly to be held after *October* next, we think it unnecessary at this Time to bestow our Attention on it, but must leave it to the Care of a future Session ; and as the Bounty
on

on the last hath been never applied for, we apprehend no Detriment will likely ensue to the Colony, by postponing it at least for the present. Whether the Province is in such a Situation as to enlarge the Number of our Bounties, we have not formed an Opinion, but will take the same into our Deliberation.

When we consider the small Extent of the Colony, that we are behind all others in Trade, and so deficient in the principal Source from whence Opulence is derived—when we consider that almost every Officer here is dependant on the Will and Pleasure of the Crown, (tho' the Goodness and Regard we have experienced from our present Most Gracious Sovereign, induces us to hope, that such Power will not be exerted to the Disadvantage of the Colony) we cannot agree with your Excellency, that the Salaries of the Officers of this Government are greatly inadequate to the Purposes for which they were given. Some we imagine equal to the Dignity of the Station, and others proportionate to the Interest we have in them.

Warmly attached to the august Monarch who presides over us, by Affection as well as Principle—conscious of the Excellency of the Constitution under which we in Part enjoy the Liberty and Privileges of *British* Subjects, and earnestly solicitous to preserve all unaffected and unprejudiced—we trust your Excellency will find us not only cheerfully disposed to shew our Gratitude and Loyalty to the one, but also fully determined to pay a proper Attention and carefully to maintain ourselves in the other.

We heartily rejoice to find your Excellency possessed of the Importance of the Harmony you so kindly wish. And as we are fully resolved to take every Method to cultivate a good Understanding between the several Branches of the Legislature, so we hope we shall find each ready to concur with us in the Adoption of salutary Measures, to preserve what appears so necessary to the Welfare of the People we represent. And at the same Time that we sincerely thank your Excellency for the Assurance that we shall find you ready to exert yourself to the utmost in whatever may promote the true Interest of the Colony, we do assure you that you will always find us disposed to support the Government with Honour, whilst the Methods naturally to be expected from that Inclination, are continued to obtain the Regard and Affection of the People.

HOUSE of ASSEMBLY, }
August 26th, 1772. }

By Order of the House,
CORTLAND SKINNER, Speaker.

[Sundry of the Members being of the People called Quakers, agree to the Substance, with the usual Exception to the Stile.]

To which His Excellency was pleased to make the following

A N S W E R.

Gentlemen,

I AM glad to find you so truly sensible of His Majesty's Goodness in allowing an additional Number of Representatives.

If any of the Schemes which I have recommended to your House, are either not adequate to the Charge of an Experiment, or beyond the Ability

Ability of the Colony, you are certainly right in rejecting them. I did flatter myself, indeed, that the Encouragement of Trade, the making of Roads, the erecting of Bridges and suitable publick Buildings, and the granting Bounties to promote the raising of fundry valuable Kinds of Produce, would at least be deemed "salutary Measures" worthy of a Trial, and within our Power. The only Motive I could have in recommending these Matters to your Attention, was the publick Good; and if it is not agreeable to you to adopt all or any of them, I have only to say that I am ready to co-operate with you in promoting any others which may be thought more likely to answer that desirable Purpose. All I wish is to have the Province roused, by some Means or other, from that lethargic Stupor which has hitherto benumbed its best Faculties, and prevented it from improving those Advantages which it has received from God and Nature.

As you acknowledge that you "are behind all others in Trade, and" "that Trade is the principal Source from whence Opulence is derived," I shall hope that you will not fail to pay due Attention to that Object.

This Colony is by no Means so much inferior to the adjacent Provinces, either in Extent or Opulence, as is the Support allowed to the publick Officers of Government, and they hold their Commissions by the same or the like Tenor in this Province as they do in the others; your Suggestion therefore that the "Salaries are not inadequate, and" "that you imagine some of them equal to the Dignity of the Station, and others proportionate to the Interest you have in them," needs no Comment. It is a notorious Fact that none of them are proportionate to the Ability of the Province, and that most of them are so extremely low, that they would be thought a Disgrace to any other Colony on the Continent. However, when I mentioned this Subject to you in my Speech, it was not so much with an Expectation of your deviating from the Example of your Predecessors in the Assembly, as to guard against any Reflections that might hereafter be cast on me for not having duly apprised you of the ill Consequences which would probably ensue from a Continuance of the like Conduct.

Your Professions of Attachment to His Majesty, and your Resolutions to cultivate a good Understanding between the several Branches of the Legislature, are very commendable.

And as I am convinced that neither my Inclinations nor Endeavours to deserve and "obtain the Regard and Affection of the People" will ever be wanting, so I shall rely with Confidence on your kind Assurances "that I shall always find you disposed to support the Government with Honour."

COUNCIL-CHAMBER, }
August 26th, 1772. }

WM. FRANKLIN.

The House adjourned till To-morrow Morning, Nine o'Clock.

Thursday,

Thursday, August 27, 1772.

The House met.

A Petition was presented by *David Baxter*, for Reasons therein set forth, praying a Law to dissolve his Marriage with *Margaret Mac Murtry*, which, together with a Certificate of divers Magistrates, Matrons and others, were read, and ordered a second Reading.

A Petition was presented from fundry Inhabitants of *Hunterdon*, praying that they may not be prevented from driving the River *Delaware* with Swabs for catching Fish ; which was read, and ordered a second Reading.

A Petition was presented by *Thomas Reading*, setting forth his Circumstances, and praying a Law for his Relief ; which, together with a Petition of fundry of his Neighbours certifying the Truth of the Facts set forth in his Petition, were read ; and a Petition of *Ebenezer Cowell* being also read, opposing a Law being passed ; on the Question, ordered a second Reading.

The Bill, entitled, *An Act to naturalize John George Felthausen* ; was read the second Time,

Ordered,

That the same be engrossed.

The Bill, entitled, *An Act to enable the Owners and Possessors of the Meadows and Tide Marsh, lying on Assiskunk Creek, &c. to erect and maintain a Bank, Dam, &c. to prevent the Tide from overflowing the same* ; was read the second Time, and committed to Mr. Paxson and Mr. Hewlings.

The Petition of a Number of Inhabitants of *Essex, Somerset, and Morris*, praying a Law to remove a Saw-Mill Dam, and other Obstructions in *Passaick River* ; was read the second Time,

Ordered,

That the Petitioners have Leave to bring in a Bill.

Mr. Paxson, pursuant to Leave given the Petitioners, brought in a Bill, entitled, *An Act to suppress Fairs in the City of Burlington* ; which was read, and ordered a second Reading.

The House adjourned till Three, P. M.

The House met.

The Petition of *Thomas Reading* for a Law for his Relief ; and also the Petition of *Ebenezer Cowell* against the Law ; being read the second Time,

Ordered,

That the Parties be heard before this House on *Monday* next, at Three o'Clock in the Afternoon, and that a Copy of this Order be served on the said *Thomas Reading* and *Ebenezer Cowell*.

A Message from his Excellency by Mr. D. Secretary Pettit.

Gentlemen,

HAVING received Advice from General Gage, that he daily expected the second Battalion of the Royal-American Regiment at New-York, where the first Battalion is at present quartered, and that as both the Barracks at New-York and Philadelphia were already filled, he was under a Necessity of requesting that Quarters might be provided for one of the Battalions in this Province until the Transports should arrive to carry them to the West-Indies, I immediately issued Orders to the Barrack-Masters of Perth-Amboy, Elizabeth-Town and Brunswick, to have their respective Barracks put into proper Order for the Reception of the Troops. The Barrack-Masters, however, have since represented to me that the Barracks are considerably out of Repair, and that tho' they are authorized by Act of Assembly to "take Care of them and "keep them in necessary Repair," yet as there is no Fund appropriated for that particular Purpose, they cannot do it without advancing their own Money, which they do not choose to do on the Uncertainty of having their Accounts allowed by your House. I must therefore request you would take this Matter into your immediate Consideration, and make a suitable Provision as well for the Repair of the Barracks as the Supply of the Troops with the Necessaries usually furnished them by the Province.

COUNCIL CHAMBER, }
August 27, 1772. }

WM. FRANKLIN.

Which was read, and ordered a second Reading.

Mr. Paxson reported, that Mr. Gibbon and himself delivered the Bill with them intrusted to the Speaker in Council.

The Petition of *David Baxter*, praying a Law to dissolve his Marriage with *Margaret Mac Murtry*, was read the second Time; and on the Question,

Ordered,

That the Petitioner have Leave to bring in a Bill on *Friday* the fourth of *September* next, unless Cause shewn to the contrary.

Ordered also,

That *Margaret Mac Murtry* be served with a Copy of this Order, and that she attend with her Child, to shew Cause if any she hath, and that *Joseph Beavers* and *Thomas Potts*, Esqrs. two of the Subscribers to the Certificate indorsed on the Petition, do also on that Day attend.

Mr. Ford, in Behalf of the Petitioners, brought in a Bill, entitled, *An Act to enable the Owners of the Meadows on Passaick and Dead Rivers to clear the same, and remove every Obstruction, &c. on the said Rivers, &c.* which was read, and ordered a second Reading.

Mr. Paxson, from the Committee appointed for that Purpose, brought in a Bill, entitled, *An Act to prevent Abuses in the packing of Beef and Pork, &c.* which was read, and ordered a second Reading.

The Engrossed Bill, entitled, *An Act to prevent the Exportation of unmerchantable*

unmerchable Flour to foreign Markets ; was read and compared ; on the Question,

Resolved,

That the same do pass.

Ordered,

That the Speaker sign the same.

Ordered,

That Mr. *Tucker* and Mr. *Garritse* do carry the said Bill to the Council for Concurrence.

A Petition was presented from the Counties of *Burlington*, *Monmouth*, and *Hunterdon*, against a Law for establishing a Toll-Bridge over *Crosswicks Creek*, &c.

Ordered,

That the same be referred to the next Session at *Burlington*.

Mr. *Paxson*, from the Committee to whom was committed the Bill, entitled, *An Act to enable the Owners and Possessors of the Meadows and Tide-Marsh, lying on Assinkunk Creek, &c. to erect and maintain a Bank, &c. to prevent the Tide from overflowing the same*, reported the same without any Amendment ; and the same being read the third Time ; on the Question,

Resolved,

That the same do pass.

Ordered,

That the Speaker sign the same.

Ordered,

That Mr. *Kinsley* and Mr. *Sykes* do carry the said Bill to the Council for Concurrence.

The House adjourned till To-morrow Morning Nine o'Clock.

Friday, August 28, 1772.

The House met.

His Excellency's Message of Yesterday was read the second Time, and committed to a Committee of the whole House.

The House accordingly resolved itself into a Committee of the whole House on his Excellency's Message, and after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported that the Committee had made some Progress in the Matters to them referred, and desired Leave to sit again this Afternoon ; to which the House agreed.

Mr. *Tucker* reported, that Mr. *Garritse* and himself delivered the Bill with them intrusted to the Speaker in Council.

Mr. *Kinsley* reported, that Mr. *Sykes* and himself delivered the Bill with them intrusted to the Speaker in Council.

Three Petitions were presented from the Managers of *Queen's-Bridge* at *Bound-Brook*, and divers of the Freeholders and Inhabitants of *Somerjet* and *Middlesex*, praying a Law to enable them to complete said Bridge ; which were read, and ordered a second Reading.

A Petition was presented by a Number of Freeholders and Inhabitants of *Somerset* County, for Reasons therein set forth, praying an Emission of Paper Money on Loan, &c. which was read, and ordered a second Reading.

A Petition was presented by *Philip Kearny*, Esq. and others, setting forth that they are in Possession of sundry Lots of Land, which was formerly Part of the Estate of *William Eier*, deceased, and that a Suit has been lately revived by *Scire Facias* against them, as Tenants of the said Lots, for a Debt due from the said *William Eier*, deceased, to the Province; and that the said *Eier* left a Personal Estate sufficient to satisfy said Debt, &c. and praying a Law for discontinuing the Suit brought against them; which was read, and ordered a second Reading.

The House adjourned till Three, P. M.

The House met.

The House again, according to Order, resolved itself into a Committee of the whole House on his Excellency's Message of Yesterday; after some Time spent therein Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported that the Committee had gone through the Matters to them referred, and had come to the following Resolution, which he was ready to report whenever the House would please to receive the same,

Ordered,

That the Report be made immediately:

Whereupon Mr. *Fisher* reported the Resolution of the Committee as follows,

Resolved,

That his Excellency be authorized by Law to draw from the Treasury any Sum not exceeding *Three Hundred Pounds*, to be applied for the Repairs of the Barracks, and the Support of His Majesty's Troops to be quartered therein, pursuant to his Excellency's Message; and on the Question, Whether the House agrees thereto or not? It passed in the Affirmative, as follows—

Y E A S.

Mr. *Combs*,
Mr. *Moore*,
Mr. *Crane*,
Mr. *Garrity*,
Mr. *Fisher*,
Mr. *Roy*,
Mr. *Dey*,
Mr. *Demarest*,
Mr. *Ford*,
Mr. *Winds*,
Mr. *Kinsey*,

Y E A S.

Mr. *Howlings*,
Mr. *Paxson*,
Mr. *Price*,
Mr. *Gibson*,
Mr. *Holme*,
Mr. *Hand*,
Mr. *Tucker*,
Mr. *Mebelm*,
Mr. *Van Herne*,
Mr. *Pettit*.

N A Y S.

Mr. *Wetherill*,
Mr. *Taylor*,
Mr. *Lawrence*,
Mr. *Sykes*,
Mr. *Hinchman*,
Mr. *Sheppard*,
Mr. *Elmer*.

Ordered,

That Mr. *Crane*, Mr. *Mebelm*, and Mr. *Winds*, be a Committee to prepare and bring in a Bill to make Provision for the same, as well as for other incidental Charges.

Ordered,

That Mr. *Kinsey*, Mr. *Tucker*, and Mr. *Combs*, be a Committee to prepare and bring in an Answer to his Excellency's Message.

Mr.

Mr. *Garritse* brought in a Bill, entitled, *A Supplementary Act to an Act, entitled, An Act to regulate the Fishery within that Part of the Eastern Division of this Colony, from the Mouth of Raritan River Northward*; which was read, and ordered a second Reading.

A Petition was presented by *Richard Stevens*, praying, for Reasons therein set forth, a Law for his Relief, &c. which was read, and ordered a second Reading.

A Petition was presented by *James Tucker* of *Essex* County, praying a Law to enable him to dispose of his Lands by Way of Lottery; which was read, and ordered a second Reading.

The Petitioners for and against the Law for stopping out the Tide from overflowing the Marshes, &c. on *English's* Creek having agreed upon a Bill, Mr. *Paxson* presented to the House a Bill, entitled, *An Act to enable sundry of the Owners of Meadows and Tide Marsh, lying on English's Creek, in the County of Burlington, to erect and maintain a Bank, Dam, and other Water-works, across the said Creek, to prevent the Tide from overflowing the same, and to keep the former Water Course of said Creek open and clear, and make the said Dam, when erected, a publick Landing*; which was read, and ordered a second Reading.

Mr. *Kinsley* brought in the Draught of an Answer to his Excellency's Message, which was read, and the same being approved of by the House, was ordered to be engrossed.

The Engrossed Message to his Excellency was read and compared, and the same is as follows.

Ordered,

THAT Mr. *Crane* and Mr. *Ford* do wait on his Excellency, and in Answer to his Message inform him, that the House having taken his Message of Yesterday into Consideration, desiring that a Provision should be made for the Repair of the Barracks, and for the Supply of the Troops expected to be quartered in the Province, have come to a Resolution that his Excellency should be authorized by a Law to draw from the Treasury any Sum not exceeding *Three Hundred Pounds*, to be applied for the Purposes therein mentioned.

And that as it is expected their Stay amongst us will be short, the House hope the Provision made will be sufficient for that Purpose.

And that the Oeconomy with which the Monies heretofore given for this Purpose, have been managed under his Excellency's Inspection, intitle him to the fullest Confidence of the House, and merit the thankful Acknowledgments of the Province; for this Reason they humbly request that his Excellency would be pleased to take the additional Trouble of authorizing some Person to apply the Monies for the Purposes mentioned in his Message.

HOUSE OF ASSEMBLY, }
August 28, 1772. }

By Order of the House,
JONA. DEARE, Clerk.

The House adjourned till To-morrow Morning Nine o'Clock.

Saturday, August 29, 1772.

The House met.

G

Mr.

Mr. *Crane* reported, that Mr. *Ford* and himself delivered the Message with them intrusted to his Excellency, who was pleased to say the House should hear from him.

The Engrossed Bill, entitled, *An Act to naturalize John George Felthausen*; being read and compared, on the Question,

Resolved,

That the same do pass.

Ordered,

That the Speaker sign the same.

Ordered,

That Mr. *Tucker* and Mr. *Roy* do carry the said Bill to the Council for Concurrence.

The Bill, entitled, *A Supplementary Act to an Act, entitled, An Act to regulate the Fishery, within that Part of the Eastern Division of this Colony, from the Mouth of Raritan River Northward*; was read the second Time, and on the Question,

Ordered,

That the same be engrossed.

The Bill, entitled, *An Act to enable the Owners of the Meadows and low Lands on the Rivers Passaic and Dead River to clear the same, and remove every Obstruction from the Saw Mill formerly Samuel Woodruff's deceased, up the Stream to Boyle's Mill, and up Dead River to Grant's Bridge, &c.* was read the second Time; and, on the Question,

Ordered,

That the same be engrossed.

A Petition was presented by *Jacob Kemper*, an Insolvent Debtor, praying a Law for his Relief, &c. which was read, and ordered a second Reading.

The Bill, entitled, *An Act to prevent Abuses in the packing of Beef and Pork, &c.* was read the second Time, and committed to Mr. *Kinsey*, Mr. *Sheppard*, Mr. *Lawrence*, and Mr. *Ford*.

The Bill, entitled, *An Act to enable sundry of the Owners and Possessors of Meadows and Tide-Marsh, lying on English's Creek, &c. to erect and maintain a Bank, Dam, &c. across the said Creek, &c.* was read the second Time, and, on the Question,

Ordered,

That the same be engrossed.

The Bill, entitled, *An Act to suppress Fairs in the City of Burlington*, was read the second Time; and, on the Question,

Ordered,

That the same be engrossed.

The Petition of a Number of Inhabitants of *Morris-Town*, praying a Law to prevent the destroying of Deer in said Township, for five Years, was read the second Time.

Ordered,

That the Petitioners have Leave to bring in a Bill.

The Petition of *James Tucker*, praying a Law to dispose of his Lands by Way of Lottery, was read the second Time.

Ordered,

Ordered,

That the said Petition lie on the Table.

A Message from His Excellency by Mr. D. Secretary *Pettit*, in the following Words, *to wit*,

Gentlemen,

I AM much pleased with your Resolution to supply the Troops. Tho' the Sum you have voted will probably not be sufficient to put the Barracks into thorough Repair, and furnish the usual Necessaries, yet as it is not intended that the Troops shall remain here during the Winter, I am in Hopes that it may, with proper Management, answer the present Purpose. If it should happen, however, to fall short, I shall rely on the Honour of your House to make good any Deficiency which cannot be avoided.

Your Approbation of my Conduct in the Disposal of the Money formerly entrusted to my Care, and the polite Terms in which you have expressed your Acknowledgments on the Occasion, at the same Time that they afford me the highest Pleasure, cannot but stimulate me to merit this fresh Mark of Confidence from the Representatives of the People. It has always been my Sentiment, that tho' it is not good Policy to with-hold the publick Money when it is wanted for a public Service, yet it should ever be religiously applied to the Purpose for which it was granted. You may rely, Gentlemen, on the strictest Oeconomy being observed in the Disposition of the Sum you have now voted, and that I shall think nothing of the Trouble it may occasion me, provided I am so happy as to find my Management ultimately rewarded with your Approbation.

August 29th, 1772.

WM. FRANKLIN.

Which was read, and ordered a second Reading.

Mr. *Tucker* reported, that Mr. *Roy* and himself delivered the Bill with them intrusted to the Speaker in Council.

Mr. *Dey* had Leave of Absence till *Wednesday* next, on very urgent Business.

Mr. *Kinsley*, with Leave, brought in a Bill, entitled, *An Act to take the Examination of a departing Witness*, &c. which was read, and ordered a second Reading.

Mr. *Elmer* had Leave of Absence till *Tuesday* next, on urgent Business.

The House adjourned till *Monday* Morning, Nine o'Clock.

Monday, August 31, 1772.

The House met.

The Engrossed Bill, entitled, *An Act to enable the Owners of the Meadows, Swamps, and low Lands, on the Rivers Passaic and Dead River to clear the same*, &c. being read and compared; on the Question, *Resolved,*

Resolved,

That the same do pass.

Ordered,

That the Speaker do sign the same.

The Engrossed Bill, entitled, *An Act to suppress Fairs in the City of Burlington*, being read and compared; on the Question, Whether the same do pass? It was carried in the Affirmative, as follows—

Y E A S.

Mr. Combs,
Mr. Wetherill,
Mr. Moores,
Mr. Taylor,
Mr. Lawrence,
Mr. Roy,
Mr. Ford,

Y E A S.

Mr. Winds,
Mr. Paxson,
Mr. Price,
Mr. Tucker,
Mr. Elmer,
Mr. Van Horne.

N A Y S.

Mr. Kinsey,
Mr. Hewlings,
Mr. Holme,
Mr. Hand,
Mr. Sheppard,
Mr. Pettit.

Resolved,

That the same do pass.

Ordered,

That the Speaker do sign the same.

The Engrossed Bill, entitled, *A Supplementary Act to an Act, entitled, An Act to regulate the Fishery in that Part of the Eastern Division of this Colony, from the Mouth of Raritan River Northward*, being read and compared; on the Question,

Resolved,

That the same do pass.

Ordered,

That the Speaker do sign the same.

The Engrossed Bill, entitled, *An Act to enable sundry of the Owners and Possessors of Meadows and Tide-Marsh on English's Creek, &c. to erect and maintain a Bank, Dam, &c. across said Creek, to prevent the Tide from overflowing the same, &c.* being read and compared; on the Question,

Resolved,

That the same do pass.

Ordered,

That the Speaker do sign the same.

Ordered,

That Mr. Fisher and Mr. Paxson do carry the said Bills to the Council for Concurrence.

The House adjourned till Three, P. M.

The House met.

Mr. Fisher reported, that Mr. Paxson and himself delivered the Bills with them intrusted to the Speaker in Council.

The Petition of *Thomas Reading*, setting forth his Circumstances, and praying a Law for his Relief, &c. together with a Petition of sundry of his Neighbours, certifying the Truth of the Facts set forth in his Petition; as also a Petition of *Ebenezer Cowell*, one of his Creditors,

Creditors, opposing a Law being passed, were read, and the Parties for and against the said Petition attending according to Order, were called in and heard before the House in Support of their several Allegations, with their Papers and Witnesses; and after some Time spent therein, the Parties withdrew, and the House taking the same into Consideration,

Ordered,

That the further Consideration thereof be referred till To-morrow Morning.

Mr. *Hinchman*, from the Committee appointed for that Purpose, brought in a Bill, entitled, *An Act for regulating Roads and Bridges*; which was read, and ordered a second Reading.

The House adjourned till To-morrow Morning Nine o'Clock.

Tuesday, September 1, 1772.

The House met.

The House again according to Order resumed the Consideration of the Petitions for and against a Law for the Relief of *Thomas Reading*, an Insolvent Debtor; on the Question, it was carried in the Negative.

Ordered,

That the said Petition lie on the Table.

The Petition of *William Throckmorton*, an Insolvent Debtor, was read the second Time; and on the Question, Whether the Prayer of the Petitioner be granted? It passed in the Negative.

Ordered,

That the said Petition lie on the Table.

The Petition of *Benjamin Ayers* of the County of *Cumberland*, an Insolvent Debtor, was read the second Time; and on the Question,

Ordered,

That the Petitioner have Leave to bring in a Bill.

A Petition was presented by *Anne Murrell*, Widow, and Executrix of *Joseph Murrell*, deceased, and *Henry Knight* of *Mount-Holly*, setting forth that there are several Sums of Money due them from the *Presbyterian* Congregation there, for Work done at their Meeting-house, which they refuse to pay, and praying Relief, &c. which, together with a Letter from the Revd. Mr. *Brainard* to the Speaker, relative thereto; were read, and ordered a second Reading.

The Bill, entitled, *An Act for the Settlement and Relief of the Poor*; was read the second Time, and committed to Mr. *Crane*, Mr. *Price*, Mr. *Roy*, and Mr. *Mehelm*.

The House adjourned till Three, P. M.

The House met.

The Bill, entitled, *An Act for regulating Roads and Bridges*; was read the second Time, and committed to Mr. *Crane*, Mr. *Tucker*, Mr. *Fisher*, Mr. *Winds*, and Mr. *Van Horne*.

The House adjourned till To-morrow Morning Nine o'Clock.

H

Wednesday,

Wednesday, September 2, 1772.

The House met.

A Remonstrance and Memorial of *Robert Lawrence*, setting forth divers Inconveniences arising from the irregular Practice of the Law, and Judges of the Inferior Court taxing Bills of Cost; was read.

Mr. *Paxson*, from the Committee appointed for that Purpose, brought in a Bill for the Support of Government, to commence the first Day of *October* 1772, and to end the first Day of *October* 1773, &c. which was read, and ordered a second Reading.

Mr. *Ford*, pursuant to Leave given, brought in a Bill, entitled, *An Act for clearing and removing the several Obstructions of the free Course of the Waters in Passaick River, and the several Branches thereof between the Little Falls in said River and the Mill Dam across said River, near Day's Bridge, over said River, and for other Purposes therein mentioned*; was read, and ordered a second Reading.

The Petition of *Anne Murrell*, Widow, and Executrix of *Joseph Murrell*, deceased, and *Henry Knight* of *Mount-Holly*, setting forth that the *Presbyterian* Congregation were indebted to them for Work done at their Meeting-house; which they refused to pay, &c. was read the second Time.

Ordered,

That the same be referred to the next Session at *Burlington*.

The House adjourned till Three, P. M.

The House met, and adjourned till To-morrow Morning, Nine o'Clock.

Thursday, September 3, 1772.

The House met.

The Bill, entitled, *An Act for clearing and removing the several Obstructions of the free Course of the Waters in Passaick River, &c. between the Little Falls and Day's Bridge*, was read the second Time, and committed to Mr. *Fisher* and Mr. *Tucker*.

The Petitions from a Number of Inhabitants of *Essex* and *Bergen*, praying a Law to raise £. 1050 by Lottery, &c. to cover the Road with Gravel leading from *Sussex*, *Morris*, *Essex*, and *Bergen*, to *Paulus-Hook*, was read the second Time; and, on the Question, Whether the Prayer of the Petitioners be granted? It was carried in the Affirmative as follows—

Y E A S.

Mr. *Wetherill*,
Mr. *Moore*,
Mr. *Taylor*,
Mr. *Crane*,
Mr. *Garritse*,
Mr. *Fisher*,
Mr. *Dey*,
Mr. *Demarest*,
Mr. *Ford*,

Y E A S.

Mr. *Winds*,
Mr. *Hewlings*,
Mr. *Gibbon*,
Mr. *Holme*,
Mr. *Tucker*,
Mr. *Mohelm*,
Mr. *Van Horne*,
Mr. *Pettit*.

N A Y S.

Mr. *Combs*,
Mr. *Lawrence*,
Mr. *Roy*,
Mr. *Paxson*,
Mr. *Sykes*,
Mr. *Hinchman*,
Mr. *Price*,
Mr. *Hand*,
Mr. *Sheppard*,
Mr. *Elwer*.

Ordered,

Ordered,

That the Petitioners have Leave to bring in a Bill.

Mr. *Lawrence*, from the Committee to whom was committed the Bill, entitled, *An Act to prevent Abuses in the packing of Beef and Pork, &c.* reported the same with Amendments; and the same with the Amendments in their Places being read, and several Amendments being made thereto in the House; on the Question, Whether the same be engrossed? It passed in the Affirmative.

Y E A S.

Mr. *Combs*,
Mr. *Wetherill*,
Mr. *Moore*,
Mr. *Crane*,
Mr. *Fisher*,
Mr. *Ford*,
Mr. *Winds*,
Mr. *Hewling*,
Mr. *Paxson*,
Mr. *Sykes*,

Y E A S.

Mr. *Hinchman*,
Mr. *Price*,
Mr. *Gibson*,
Mr. *Holme*,
Mr. *Hand*,
Mr. *Tucker*,
Mr. *Sheppard*,
Mr. *Elmer*,
Mr. *Van Horne*,
Mr. *Pettit*.

N A Y S.

Mr. *Taylor*,
Mr. *Lawrence*,
Mr. *Garritsa*,
Mr. *Roy*,
Mr. *Dey*,
Mr. *Demarest*,
Mr. *Mehelm*.

Ordered,

That the same be engrossed.

The Petitions from the Managers of *Queen's-Bridge* at *Bound-Brook*, and sundry Inhabitants of *Somerset* and *Middlesex*, praying a Law to enable them to complete said Bridge; and also the Petition against it, and in Support of the Bridge at *Raritan* Landing, were read the second Time; and, on the Question,

Ordered,

That the Petitioners in Favour of the *Bound-Brook* Bridge have Leave to bring in a Bill.

The Petition of divers Inhabitants of *Middlesex* and *Somerset*, for a Law to enable them to complete the Bridge already begun at *Raritan* Landing, across the River, by Tax or otherwise, &c. was read the second Time; on the Question,

Ordered,

That the Petitioners have Leave to bring in a Bill.

The House adjourned till Three, P. M.

The House met.

A Petition was presented by a Number of Inhabitants and Freeholders of *Somerset*, for Reasons therein set forth, praying a Law for rebuilding and repairing of the Bridges in said County, by Tax on the County; which was read, and ordered a second Reading.

Four Petitions were presented by a Number of Weavers and Inhabitants in the County of *Somerset*, for Reasons therein set forth, praying a Law to prohibit Farmers and others keeping Looms in their Houses, and following the Weaving Business; which was read, and ordered a second Reading.

A Petition was presented by *Abner Hetfield*, an Insolvent Debtor, praying a Law for his Relief, &c. which was read, and ordered a second Reading.

A

A Petition was presented by *John Leroa*, setting forth his distressed Circumstances, occasioned by his being Bail for his Brother *Lambertus Leroa*, and praying Relief; which was read, and ordered a second Reading.

The Petition of *Richard Stevens*, an Insolvent Debtor, praying a Law for his Relief, &c. was read the second Time; on the Question,

Ordered,

That the Petitioner have Leave to bring in a Bill.

Mr. *Crane*, from the Committee to whom was committed the Bill, entitled, *An Act for the Settlement and Relief of the Poor*, reported the same with several Amendments, which were read, and after some Time spent therein,

Ordered,

That the said Bill be recommitted.

The House adjourned till To-morrow Morning Nine o'Clock.

Friday, September 4, 1772.

The House met.

The Bill for the Support of Government, was read the second Time,
Ordered,

That the same be committed to a Committee of the whole House:

Whereupon the House resolved itself into a Committee of the whole House on the Bill for the Support of Government, and after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported, that the Committee had made some Progress in the Matters to them referred, and desired Leave to sit again. To which the House agreed.

Mr. *Fisher*, pursuant to Leave given, brought in a Bill, entitled, *An Act for the Relief of Richard Stevens, with Respect to the Imprisonment of his Person*; which was read, and ordered a second Reading.

A Petition was presented by sundry Inhabitants of *Windsor*, in *Middlesex* County, praying a Law to enable the Owners and Possessors of the Lands on *Assinpink-Brook*, to clear said Brook from the Province Line to the Land of *John Ely*; which was read, and ordered a second Reading.

The House adjourned till Three, P. M.

The House met.

Mr. *Crane*, pursuant to Leave given, brought in a Bill, entitled, *An Act for raising the Sum of Four Hundred and Fifty Pounds Proclamation Money, on the Inhabitants of Somerset and Middlesex, to be applied to the completing the Bridge over Raritan River at the Landing*; which was read, and ordered a second Reading.

A Petition was presented by *Jonathan Bishop*, an Insolvent Debtor, praying a Law for his Relief, &c. which was read, and ordered a second Reading.

The

The Petition of *David Baxter*, for Reasons therein set forth, praying a Law to dissolve his Marriage with *Margaret Mac Murtry*, together with a Certificate of divers Magistrates, Matrons, &c. were read, and the said *David Baxter*, together with *Joseph Beavers* and *Thomas Potts*, Esqrs. two of the Subscribers to the said Certificate, attending according to Order, were called in, and Proof being made before the House, that the Order of this House had been served on the said *Margaret*, and she the said *Margaret* not attending, the House proceeded to hear the Evidence in Behalf of the Petitioner; and the said *Joseph Beavers* and *Thomas Potts*, Esqrs, being examined on Oath before the House, and proving that the Child, born of the said *Margaret*, is a Mulatto, and the House taking the same into Consideration; on the Question,

Ordered,

That the Petitioner have Leave to bring in a Bill.

The Petition of *John Laroe* setting forth his distressed Circumstances, occasioned by his being Special Bail for his Brother *Lambertus Laroe*, and praying Relief, was read the second Time.

Ordered,

That the Petitioner, together with *Daniel Isaac Browne*, Esq; do attend this House at five o'Clock this Afternoon.

The Bill, entitled, *An Act for the Relief of Richard Stevens, with Respect to the Imprisonment of his Person*, was read the second Time.

Ordered,

That the same be committed to Mr. *Paxson*, and Mr. *Tucker*.

A Petition was presented by, *Joseph Rue*, an Insolvent Debtor, praying a Law for his Relief; which was read, and ordered a second Reading.

Mr. *Sheppard*, pursuant to Leave given, brought in a Bill, entitled, *An Act for the Relief of Benjamin Ayers, now a Prisoner for Debt in the Gaol of the County of Cumberland*; which was read, and ordered a second Reading.

The Petition of *Abner Hetfield*, an Insolvent Debtor, praying a Law for his Relief, &c. was read the second Time. On the Question,

Ordered,

That the Petitioner have Leave to bring in a Bill at the next Session, unless Cause shewn to the contrary, and that he publish a Copy of this Order in the Publick News-Papers, six Weeks before the next Session.

A Message from the Council, by Mr. *Lawrence*, informing the House, That the Council have passed the Bill entitled *An Act to suppress fairs, in the City of Burlington*, with the Amendmeants made thereto, and desire the Concurrence of this House with the said Amendments; also, that the Council have passed the Bill, entitled *An Act to naturalize John George Felthausen*, and the Bill, entitled, *An Act to enable sundry of the Owners and Possessors of Meadows and Tide-Marsh lying on English's Creek, in the County of Burlington, to erect and maintain a Bank, Dam, and other Water-works, &c. without any Amendments.*

The Bill, entitled, *An Act to suppress Fairs in the City of Burlington*,
I was

was read with the Council's Amendments in their Places ; on the Question,

Ordered,

That the said Bill be re-engrossed, with the Council's Amendments thereto.

Mr. *Fisher*, from the Committee to whom was committed the Bill, entitled, *An Act for clearing and removing the several Obstructions of the free Course of the Waters in Passaic River, &c. between the Little Falls and Day's Bridge*, reported the same with several Amendments, which, with the Amendments, being read,

Ordered,

That the said Bill be re-committed.

John Laroe and *Daniel Isaac Brown*, Esq; attending the House according to Order, were called in, and the said *John Laroe* desiring Time to prepare for a Hearing in Support of his Petition,

Ordered,

That the Parties, with their several Evidences and Proofs, attend this House on *Wednesday* next, at three of the Clock in the Afternoon.

The House adjourned till To-morrow Morning, Nine o'Clock.

Saturday, September 5, 1772.

The House met.

The re-engrossed Bill, with the Council's Amendments, entitled, *An Act to prevent the holding of Fairs in the Province of New-Jersey*, was read and compared,

Ordered,

That the Speaker do sign the same.

Ordered,

That Mr. *Ford* and Mr. *Gibbon* do carry the said Bill to the Council.

Mr. *Paxson*, from the Committee to whom was committed the Bill, entitled, *An Act for the Relief of Richard Stevens, with Respect to the Imprisonment of his Person*, reported the same with several Amendments thereto ; and the said Bill was read, and the Amendments in their Places ; on the Question, Whether the said Bill as amended be engrossed or not ? It was carried in the Affirmative.

Ordered,

That the said Bill as amended be engrossed.

Mr. *Kinsley*, with Leave, brought in a Bill, entitled, *An Act for returning of able and sufficient Jurors, and for the better regulating of Juries* ; also a Bill, entitled, *An Act for making Process in Courts of Equity effectual against Mortgagers who abscond, &c.* which were read, and ordered a second Reading.

Mr. *Dey*, pursuant to Leave given, brought in a Bill, entitled, *An Act to enable Col. John Schuyler, to erect and draw a Lottery for raising the*

the Sum of £. 1050 to be applied for the Purposes therein mentioned ; which was read, and ordered a second Reading.

A Petition was presented by a Number of Inhabitants of *Bridgewater*, in *Somerſet*, againſt the paſſing a Law to repair their Roads by Tax, &c. which was read, and ordered a ſecond Reading.

Mr. *Ford* reported, that Mr. *Gibbon* and himſelf delivered the Bill with them intruſted to the Speaker in Council.

Mr. *Winds* had Leave of Abſence till Monday Night, on urgent Buſineſs.

The Houſe adjourned till Monday Morning, Nine o'Clock.

Monday, September 7, 1772.

The Houſe met.

The Engroſſed Bill, entitled, *An Act for the Relief of Richard Stevens, with Reſpect to the Imprisonment of his Perſon* ; was read and compared ; and, on the Queſtion,

Resolved,

That the ſame do paſs.

Ordered,

That the Speaker do ſign the ſame.

Ordered,

That Mr. *Kinſey* and Mr. *Mebelm* do carry the ſaid Bill to the Council for Concurrence.

The Bill, entitled, *An Act for the Relief of Benjamin Ayers, &c.* was read the ſecond Time, and committed to Mr. *Kinſey* and Mr. *Elmer*.

The Petition of *Joſeph Rue*, an Inſolvent Debtor, praying a Law for his Relief, was read the ſecond Time ; on the Queſtion,

Ordered,

That the Petition lie on the Table.

The Petition of *Philip Kearny*, Esq. and others, for Reaſons therein ſet forth, praying a Law to diſcontinue a Suit revived againſt them by *Scire Facias*, as Ter-tenants of ſundry Lotts formerly *William Eiers*, deceased ; was read the ſecond Time ; on the Queſtion,

Ordered,

That the Petition lie on the Table.

Mr. *Kinſey* reported, that Mr. *Mebelm* and himſelf delivered the Bill with them intruſted, to the Speaker in Council.

The Petition from the Inhabitants of *Bedmiſter* in *Somerſet*, praying a Law to continue a Law for repairing their Roads by Tax, &c. was read the ſecond Time,

Ordered,

That the Petitioners have Leave to bring in a Bill.

The Petition of ſundry of the Inhabitants of *Bridgewater* in *Somerſet*, praying a Law to revive and continue the Law for repairing their Roads by

by Tax, &c. also the Petition against it, were read the second Time,

Ordered,

That the said Petitions be referred to the Committee on the Road-Bill.

The Petition of fundry Inhabitants of *Hunterdon*, praying that they may not be prevented from driving the River *Delaware* with Swabs for catching Fish, was read the second Time.

Ordered,

That the same be referred to the next Session.

The Petition of *Jacob Kemper*, an Insolvent Debtor, praying a Law for his Relief, &c. was read the second Time. On the Question,

Ordered,

That he have Leave to bring in a Bill at the next Session, unless Cause shewn to the contrary, and that the Petitioner publish a Copy of this Order in the publick News-Papers six Weeks before the next Session.

The Petition, from a Number of Inhabitants of *Somerſet*, praying a Law for rebuilding and repairing of the Bridges in said County, by a Tax on the County, was read the second Time.

Ordered,

That the said Petition be referred to the Committee on the Road Bill.

The House adjourned till Three, P. M.

The House met.

Eight several Petitions were presented, from the Counties of *Middlesex*, *Somerſet*, *Bergen*, *Monmouth*, *Effex*, and the City of *Perth-Amboy*, praying a Law to regulate the practice of Physic and Surgery; which were read, and ordered a second Reading.

The Committee, to whom was re-committed the Bill for the Settlement and Relief of the Poor, reported the same with several Amendment's, which were read, and after some Time spent therein, on the Question,

Ordered,

That Mr. *Kinfey*, Mr. *Hewlings*, Mr. *Paxson*, Mr. *Sykes*, Mr. *Hinchman*, and Mr. *Price*, be a Committee to prepare and bring in a Bill for the Relief of the Poor, at the next Session of Assembly.

A Petition was presented from a Number of Inhabitants of *Somerſet* and *Morris* (for Reasons therein set forth) praying that a Law may not pass for regulating the practice of Physic, but that the practice thereof may continue as usual; which was read, and ordered a second Reading.

The Bill, entitled, *An Act to enable Colonel John Schuyler to erect and draw a Lottery for raising £.1050, for the Purposes therein mentioned*, was read the second Time, and committed to Mr. *Dey*, Mr. *Demarest*, Mr. *Crane*, and Mr. *Garrisse*.

The

The Bill, entitled, *An Act for taking the Examination of a departing Witness, &c.* was read the second Time, and committed to Mr. Fisher and Mr. Price.

The Bill, entitled, *An Act for returning able and sufficient Jurors, and for the better regulating of Juries,* was read the second Time, and committed to Mr. Wetherill and Mr. Paxson.

The Bill, entitled, *An Act for making Process in Courts of Equity effectual against Mortgagers who abscond and cannot be served therewith, or who refuse to appear ;* was read the second Time, and committed to Mr. Tucker and Mr. Hinchman.

The Petition of a Number of Weavers and Inhabitants of the County of *Somerſet*, praying a Law to prevent Farmers and others keeping Looms in their Houses and following the Weaving Business, were read the second Time ; on the Question,

Ordered,

That the Petitioners have Leave to bring in a Bill at the next Session, unless Cause shewn to the contrary.

Mr. Kinſey, from the Committee to whom was committed the Bill, entitled, *An Act for the Relief of Benjamin Ayers, &c.* reported the same, with several Amendments thereto ; and the said Bill was read, with the Amendments in their Places,

Ordered,

That the same as amended be engrossed.

The House adjourned till To-morrow Morning, Nine o'Clock.

Tuesday, September 8, 1772.

The House met.

Mr. Tucker, in Behalf of the Petitioner, brought in a Bill, entitled, *An Act to dissolve the Marriage of David Baxter, of the County of Hunterdon, with Margaret his Wife, (late Margaret Mac Murtry) ;* which was read, and ordered a second Reading.

Mr. Hinchman, from the Committee to whom was committed the Bill, entitled, *An Act for making Process in Courts of Equity effectual against Mortgagers who abscond, &c.* reported the same with several Amendments ; which with the Amendments in their Places were read, and several Amendments being made thereto in the House ; on the Question,

Ordered,

That the same as amended be engrossed.

Mr. Wetherill, from the Committee to whom was committed the Bill, entitled, *An Act for returning able and sufficient Juries, &c.* reported the same with Amendments ; which, with the Amendments, were read,

Ordered,

That the same be re-committed.

A MESSAGE from His Excellency, by Mr. Deputy-Secretary *Pettit*,
in the Words following—

Gentlemen,

AT the last Session I informed the Assembly, that there was an Officer and some sick Men, belonging to the Regiment which had lately been quartered in this Province, left behind at Elizabeth Town, where they were to continue till they were enabled to join their Regiment. They remained there from the 5th of November to the 9th of March last, during which Time Colonel Robertson, Barrack-Master General, furnished them with the Necessaries which ought to have been provided by the Province. The Money he has paid for this Purpose amounts to Seventy-two Pounds two Shillings and seven Pence Half-penny New-York Currency, as appears by his Account, which I now lay before your House, not doubting but you will think with me that the Colonel ought to be repaid by the Colony the Sum he has advanced.

When the Colonel's Account of Barrack Expences from the 28th of March to the 4th of November 1771, was laid before the last Assembly, they refused to allow his Charge for Barrack Master and Wood Issuers, as being unreasonable. He has since assured me that he charged no more than what he actually paid for those Services, and that rather than represent this Matter to the Auditors of the Exchequer, and thereby lessen the Merit the Province ought to have in the Minds of His Majesty's Ministers, he is willing, tho' it will be to his Loss, to receive only the same Allowance as was given for the like Time to the Provincial Barrack Master. This Proposal is so extremely reasonable, that I think it will not be for the Honour of the Province if it is refused, especially as the whole Sum in Dispute is but Sixty-eight Pounds eighteen Shillings and ten Pence New-York Currency.

September 8, 1772.

W^m. FRANKLIN.

Which was read, and ordered a second Reading.

Mr. *Fisher*, from the Committee to whom was committed the Bill, entitled, *An Act for taking the Examination of a departing Witness*, reported the same with Amendments; which, with the Amendments in their Places, were read; on the Question,

Ordered,

That the same be engrossed.

A MESSAGE from the Council, by Mr. *Parker*.

Ordered,

THAT Mr. *Parker* do carry to the House of Assembly the Bill, entitled, *An Act to prohibit the Importation of Persons into this Colony, convicted of Crimes, &c.* with the Amendments thereto annexed: Also the Bill, entitled, *An Act to enable the Owners of the Meadows, Swamps, and low Lands, on the Rivers Passaic and Dead River, to clear the same, &c.* with the Amendments thereto annexed; and desire their Concurrence with the said Amendments.

By Order of the House,

CHA. PETTIT, D. Clerk.

The Bill, entitled, *An Act to prohibit the Importation of Persons into this Colony, convicted of Crimes, &c.* was read, with the Council's Amendments, in their Places; and, on the Question, the House agrees with the Council's Amendments.

Ordered,

That the said Bill, with the Council's Amendments thereto, be re-engrossed.

The Bill, entitled, *An Act to enable the Owners of the Meadows, Swamps, and low Lands on the Rivers Passaick and Dead River, to clear the same, &c.* was read, with the Council's Amendments in their Places; on the Question, the House agree to the Council's Amendments.

Ordered,

That the said Bill, with the Council's Amendments, be re-engrossed.

The Engrossed Bill, entitled, *An Act for the Relief of Benjamin Ayers, &c.* was read and compared; on the Question,

Resolved,

That the same do pass.

Ordered,

That the Speaker sign the same.

Ordered,

That Mr. *Tucker* and Mr. *Sheppard* do carry the said Bill to the Council for Concurrence.

The Engrossed Bill, entitled, *An Act to prevent Abuses in the packing of Beef and Pork, &c.* was read and compared; on the Question,

Resolved,

That the same do pass.

Ordered,

That the Speaker sign the same.

Ordered,

That Mr. *Hewlings* and Mr. *Elmer* do carry the said Bill to the Council for Concurrence.

Mr. *Tucker* reported, that Mr. *Sheppard* and himself delivered the Bill with them intrusted, to the Speaker in Council.

Mr. *Hewlings* reported, that Mr. *Elmer* and himself delivered the Bill with them intrusted, to the Speaker in Council.

The House adjourned till Three, P. M.

The House met.

Mr. *Fisher*, pursuant to Leave given, brought in a Bill, entitled, *A Supplementary Act to an Act, entitled, An Act to empower certain Persons therein named, to raise a Sum of Money by Subscription, or by Taxation, to rebuild and keep in Repair the Bridge over Raritan River, at Bound-Brook, known by the Name of Queen's-Bridge;* which was read, and ordered a second Reading.

Mr. *Ford*, pursuant to Leave given, brought in a Bill, entitled, *An Act for the Preservation of Deer, in the Township of Morris;* which was read, and ordered a second Reading.

The Bill, entitled, *An Act for raising the Sum of £. 450, Proclamation Money, on the Inhabitants of Somerset and Middlesex, for completing the Bridge over Raritan River, at the Landing,* was read the second Time, and committed to Mr. *Kinsley* and Mr. *Mehelm*.
Mr.

Mr. *Fisher*, from the Committee appointed to settle the Eastern Treasurer's Accounts, made the following Report ; and, on the Question, Whether the same shall be received, or not ? It passed in the Affirmative, as follows.

Y E A S.	Y E A S.	N A Y S.
Mr. <i>Crane</i> ,	Mr. <i>Hinchman</i> ,	Mr. <i>Combs</i> ,
Mr. <i>Garritse</i> ,	Mr. <i>Price</i> ,	Mr. <i>Wetherill</i> ,
Mr. <i>Fisher</i> ,	Mr. <i>Gibbon</i> ,	Mr. <i>Moore</i> ,
Mr. <i>Roy</i> ,	Mr. <i>Holme</i> ,	Mr. <i>Taylor</i> ,
Mr. <i>Demarest</i> ,	Mr. <i>Hand</i> ,	Mr. <i>Lawrence</i> ,
Mr. <i>Ford</i> ,	Mr. <i>Sheppard</i> ,	Mr. <i>Dey</i> ,
Mr. <i>Winds</i> ,	Mr. <i>Elmer</i> ,	Mr. <i>Sykes</i> ,
Mr. <i>Kinsley</i> ,	Mr. <i>Van Horne</i> ,	Mr. <i>Tucker</i> ,
Mr. <i>Hewlings</i> ,	Mr. <i>Pettit</i> .	Mr. <i>Mebelm</i> .
Mr. <i>Paxson</i> ,		

Ordered,

That the Report be entered ; and the same is as follows, viz.

Dr.	Stephen Skinner, his Account Current, with	
	To Balance of Account, settled by the Committee, <i>October 22</i> , 1770, including the Sum of £. 6570 : 9 : 4, stolen from the Treasury, 21st <i>July</i> , 1768,	— £. 10,072 : 9 : 10½
1770.		
Dec. 14.	To Cash received of <i>John Arrison</i> , by the Hands of <i>Cortland Skinner</i> ,	— £. 49 : 7 : 0
1772.		
Jan. 8.	To Cash received of <i>John Arrison</i> , by <i>Cortland Skinner</i> ,	60 : 0 : 0
	To Cash received of <i>John Stevens</i> , on Account of Rations for the Provincials,	219 : 1 : 3
	To Cash received of <i>Gabriel Ogden</i> , in Part of <i>John Ogden's Debt</i> ,	160 : 0 : 0
		488 : 8 : 3
		£. 10,560 : 18 : 1½

N. B. The Treasurer, besides the above Balance, has, in his Hands, Bonds and Mortgages to the Amount of £. 4359 : 14 : 11½, which, with the Interest due thereon, are outstanding Debts, on Account of the parliamentary Donation.

Dr.	Stephen Skinner Account	
1770.		
October 22.	To Balance of Account settled this Day,	£. 3644 : 16 : 11
	To Cash received of the County of <i>Middlesex</i> Deficiency of 1769,	£. 419 : 5 : 7
	To ditto received of <i>Monmouth</i> Deficiency of 1769,	297 : 10 : 4
		716 : 15 : 11
	To the Sinking Fund Tax, directed to be raised in the Year 1770, viz. — <i>Bergen</i> , — £. 830 : 10 : 0	
	<i>Essex</i> , — 928 : 14 : 0	
	<i>Middlesex</i> , — 1090 : 8 : 0	
	<i>Monmouth</i> , — 1336 : 8 : 0	
	<i>Somerfet</i> , — 1130 : 2 : 0	
	<i>Morris</i> , — 904 : 5 : 0	
		6220 : 7 : 0
	To the Sinking Fund Tax, directed to be raised in the Year 1771, viz. — <i>Bergen</i> , — £. 830 : 10 : 0	
	<i>Essex</i> , — 928 : 14 : 0	
	<i>Middlesex</i> , — 1090 : 8 : 0	
	<i>Monmouth</i> , — 1336 : 8 : 0	
	<i>Somerfet</i> , — 1130 : 2 : 0	
	<i>Morris</i> , — 904 : 5 : 0	
		6220 : 7 : 0
		£. 16,802 : 6 : 10

the Province of *New-Jersey*, ———— Cr.

By Amount of sundry Vouchers produced, indorsed, and allowed,
on Account of Support of Government, and War Fund, — £. 3848 : 19 : 5
Balance due the Province, ———— 6711 : 18 : 8½

£. 10,560 : 18 : 1½

Perth-Amboy, September 7, 1772.

By Order of the Committees.

JOHN STEVENS,
HENDRICK FISHER.

Sinking Fund, ———— Cr.

By current Bills of Credit, cancelled by the Justices and Free-
holders of *Middlesex*, as *per* their Certificate in *May, 1771*,
in full of the Tax 1769, and burned by the Committees; — £. 4361 : 13 : 0

By current Bills of Credit, cancelled by the Justices and Free-
holders, as *per* their Certificate in 1772, in Part of the
Tax for 1770, and burned by the Committees; — 3479 : 3 : 6

By sundry Deficiencies of Taxes not
paid in, *viz.* ————
Somerset, — £. 78 : 13 : 5
Middlesex, — 654 : 16 : 0
Monmouth, — 243 : 17 : 8
977 : 7 : 1

Balance, 7984 : 3 : 3

£. 16,802 : 6 : 10

Errors excepted.

By Order of the Committees.

JOHN STEVENS,
HENDRICK FISHER.

The House adjourned till To-morrow Morning Nine o'Clock.

Wednesday, September 9, 1772.

The House met.

A Petition was presented by a Number of Inhabitants of the Township of *Windfor*, in the County of *Middlesex*, praying a Law to prevent the holding of Fairs at *Princeton* in said Township; was read, and ordered a second Reading.

Mr. *Wetherill*, from the Committee to whom was committed the Bill, entitled, *An Act for returning able and sufficient Jurors*, &c. reported the same with Amendments, which were read, and several Amendments being made thereto in the House; on the Question,

Ordered,

That the same be engrossed.

The Engrossed Bill, entitled, *An Act to take the Examination of a departing Witness*; was read and compared, and on the Question,

Resolved,

That the same do pass.

Ordered,

That the Speaker do sign the same.

The Engrossed Bill, entitled, *An Act for making Process in Courts of Equity, more effectual against Mortgagors*, &c. was read and compared; on the Question,

Resolved,

That the same do pass.

Ordered,

That the Speaker do sign the same.

Ordered,

That Mr. *Kinsey* and Mr. *Holme* do carry the said Bills to the Council for Concurrence.

Mr. *Kinsey*, from the Committee to whom was committed the Bill, entitled, *An Act for raising the Sum of Four Hundred and Fifty Pounds Proclamation Money, on the Inhabitants of Somerset and Middlesex, for completing the Bridge over Raritan River at the Landing*; reported the same with Amendments, and several Amendments being made thereto in the House; on the Question, Whether the same be engrossed or not? It passed as follows—

Y E A S.

Mr. *Lawrence*,
Mr. *Crane*,
Mr. *Garritse*,
Mr. *Fisher*,
Mr. *Roy*,
Mr. *Dey*,
Mr. *Demarest*,
Mr. *Ford*,

Y E A S.

Mr. *Winds*,
Mr. *Kinsey*,
Mr. *Gibbon*,
Mr. *Holme*,
Mr. *Tucker*,
Mr. *Mehelm*,
Mr. *Van Horne*,
Mr. *Pettit*.

N A Y S.

Mr. *Combs*,
Mr. *Wetherill*,
Mr. *Moore*,
Mr. *Taylor*,
Mr. *Paxson*,
Mr. *Sykes*,
Mr. *Hinchman*,
Mr. *Hand*.

Ordered,

That the said Bill be engrossed.

Mr.

Mr. *Kinsley* reported, that Mr. *Holme* and himself delivered the Bills with them intrusted, to the Speaker in Council.

A Message from the Council by Mr. *Stockton*.

Ordered,

THAT Mr. *Stockton* do carry to the House of Assembly, the Bill, entitled, *An Act to prevent the Exportation of unmerchantable Flour to foreign Markets*, with the Amendments thereto annexed; and the Bill, entitled, *An Act to enable the Owners and Possessors of Meadows and Tide-Marsh, lying on Affiskunk Creek, within the Limits of the City of Burlington, to erect and maintain a Bank, Dam, and other Water-works across the said Creek, in Order to prevent the Tide from overflowing the same*, with the Amendments thereto annexed, and desire the Concurrence of the House of Assembly in the said Amendments.

Ordered also,

That Mr. *Stockton* do acquaint the House of Assembly, that this House has passed the Bill, entitled, *A Supplementary Act to an Act, entitled, An Act to enable the Owners and Possessors of the Meadows and Swamps lying on a small Branch of Alloway's Creek in the County of Salem, &c. and the Bill, entitled, An Act for the Relief of Richard Stevens, with Respect to the Imprisonment of his Person*; without any Amendments.

By Order of the House,

CHA. PETTIT. D. Clerk.

The Bill, entitled, *An Act to enable the Owners and Possessors of Meadows and Tide Marsh on Affiskunk Creek, &c. to erect and maintain a Bank, Dam, &c.* was read with the Council's Amendments in their Places; on the Question, the House agree to said Amendments.

Ordered,

That the said Bill with the Council's Amendments be re-engrossed.

The Bill, entitled, *An Act to prevent the Exportation of unmerchantable Flour to foreign Markets*; was read, with the Council's Amendments in their Places; on the Question,

Ordered,

That Mr. *Mehelm* and Mr. *Taylor* do carry back the said Bill to the Council and inform them, that the House agrees to all the Amendments made by the Council, except the Amendment in the fourteenth Line of the fourth Section, as to which the House disagrees, and therein adhere to the Bill.

The Re-engrossed Bill with the Council's Amendments, entitled, *An Act to enable the Proprietors and Possessors of the Meadows, Swamps and low Lands on the Rivers Passaick and Dead River, to clear the same*; was read and compared; on the Question,

Resolved,

That the same do pass.

Ordered,

That the Speaker sign the same.

Ordered,

That Mr. *Ford* and Mr. *Roy* do carry the said Bill to the Council for Concurrence.

Mr.

Mr. Ford reported, that Mr. Roy and himself delivered the Bill with them intrusted, to the Speaker in Council.

The House adjourned till Three, P. M.

The House met.

The Re-engrossed Bill with the Council's Amendments, entitled, *An Act to prevent the Importation of Persons into this Colony, from any of the neighbouring Governments, who have been convicted of Felony*; was read and compared; on the Question,

Ordered,

That the Speaker sign the same.

Ordered,

That Mr. Hinchman and Mr. Sykes do carry the said Bill to the Council.

Mr. Mehelm reported, that Mr. Taylor and himself delivered the Bill with them intrusted to the Speaker in Council.

A Petition presented to the last Session of Assembly and referred, was presented to the House by a Number of Inhabitants of *Pequanick, Hanover, Morris, Mendon, and Roxbury*, in Morris County, praying that a four Rod Road leading from the Bridge over *Rockaway River*, near *John Hemman's*, sen. may be supported and repaired by a Tax on the County; which was read, and ordered a second Reading.

On Motion made by Mr. Fisher, and Leave given, he brought in a Bill, entitled, *An Act to enable all Persons who are His Majesty's liege Subjects, to hold Lands or Tenements, notwithstanding such Purchaser were Persons not naturalized*; which Bill was read, and ordered a second Reading.

John Laroe and *Daniel Isaac Brown*, Esq. attending the House, according to Order, and *Isaac Bogart*, one of the Persons charged in the Petition of the said *John Laroe* presented to the House, also attending, were called in; whereupon the Petition of the said *John Laroe* was read, and Mr. Boudinot, of Council for *John Laroe*, informing the House that from his Examination of the Matters charged in the Petition, and Evidence relied on by *Laroe*, that he is of Opinion that the Case of the said *John Laroe* will be proper for a Determination in a Court of Equity.

Resolved, Nem. Con.

That the Petition lie on the Table.

A Message from the Council by Mr. Read.

Ordered,

THAT Mr. Read do carry to the House of Assembly the Bill, entitled, *An Act to prevent the Exportation of unmerchable Flour to foreign Markets*; and acquaint them that this House do recede from their Amendment objected to by the House of Assembly.

CHA. PETTIT, D. Clerk.

Ordered,

That the said Bill be re-engrossed with the Council's Amendments as agreed to by this House.

Two Petitions were presented from the County of *Morris*, praying a Law for an Emission of Paper Money on Loan, &c. which were read, and ordered a second Reading.

Mr. *Hinchman* reported, that Mr. *Sykes* and himself delivered the Bill with them intrusted to the Speaker in Council.

A MESSAGE from His Excellency by Mr. D. Secretary *Pettit*.

Gentlemen,

A RIGHT Knowledge of the Number of Inhabitants, Dwelling Houses, Births and Burials of a Country, is a Matter evidently of great Importance to the publick Welfare, and is peculiarly necessary and proper to those who are Members of the Legislature. I have taken some Pains during my Residence in this Colony to obtain this useful Piece of Knowledge, but the most intelligent Persons I could meet with were as ignorant in this Respect as myself. On my mentioning this Matter to his Majesty's Council, and consulting them on the Expediency of having the Numbers taken, they advised the having a Number of blank Lists proper for the Purpose printed and sent to every Sheriff with Directions to distribute them to the several Assessors in each County and request them to make the necessary Inquiries within their respective Districts, as pointed out at the Head of the List, and make Return thereof to the Sheriff as soon as they conveniently could. This it was not doubted the Assessors would be so obliging as to do, as it would occasion them but little additional Trouble, the Duty of their Office already requiring them to take an Account of the several Families in their respective Districts. As yet I have received only one Return, which is from Mr. *Skelton* the Assessor of *Windsor* in the County of *Middlesex*; and as it appears to be very accurately taken, I now lay it before your House for your Information, and that you may have an Opportunity of judging of the Expediency and Utility of Accounts of this Nature. Whether I shall have it in my Power to make many more Communications of this Kind is at present very uncertain, as I am credibly informed, that some of the Assessors object to complying with the Request which has been made to them because it is not required of them by Law; others because of an absurd superstitious Notion, which has long prevailed amongst the Vulgar, that numbering of the People is sinful, and will be attended with fatal Consequences to the Country; and others, because they suspect the Ministry have directed the Measure in order to answer some particular purpose of theirs; for which Suspicion I can assure you, Gentlemen, there is not the least Foundation, it not being even known to the Ministry that any such Thing is in Agitation: But the Refusal of the largest Number is founded, I am told, on their Unwillingness to take any additional Trouble where they are not to have an additional Allowance.—This, however, Gentlemen, is no new Scheme. The Numbers of People have been twice before taken in this Colony, tho' not in so compleat a Manner as is now proposed, and they have lately been taken in New-York, without any Difficulty, and

M

none

none of the evil Consequences dreaded by superstitious People, have ever ensued either to this or that Colony.

I hope this Matter will appear to you in the Light it's Importance deserves, and that you will use your Influence in you respective Counties to promote the Completion of it ; or otherwise give such Encouragement to the Design as may insure its Success.

Sept. 9, 1772.

WM. FRANKLIN.

Which was read, and ordered a second Reading.

Mr. *Hinchman* from the Committee on publick Accounts, made the following Report—

The Province of *New-Jersey*, to *John Stevens*, on Account of—
allowed for the Provincials, from the Time of their Inlist—

DR.

1764.

Nov. 3. To a Bill of Exchange remitted to *James Napier*, Esq.
for Work done to *Anboy* and *Elizabeth-Town* Bar-
racks, ———— £. 242 : 13 : 5
To ditto, for an Account of Stoppages for the *Jersey*
Provincials, £. 6 : 18 : 9 Sterling, at 4/8 the
Dollar, is ———— 11 : 17 : 11

1765.

Mar. 9. To Cash paid Major *Mac Donald* his Rations and some
of his Officers, per Account and Receipt, ———— 21 : 18 : 4
New-York Currency, — £. 276 : 9 : 8

Proc.

Is—£. 255 : 4 : 4
To Cash paid *Nathan Woodruff*, Expres with some of the Muster-Rolls, 1 : 1 : 0
To ditto paid Mr. *Blanchard*, per Receipt, ———— 5 : 0 : 0
To ditto paid *Gerard Bancker*, for two Copies of the Muster-Rolls, &c. 3 : 0 : 0
19. To ditto paid into the Eastern Treasury, per Receipt; — New-York
Currency, £. 1000 : 16 : 8, ———— 923 : 16 : 11
To ditto paid Capt. *Dayton*, and sundry other Officers, in full of their
Rations for the Years 1761, 1762, and 1764, per Receipts; New-
York Currency, £. 15 : 17 : 4, is ———— 14 : 13 : 0

1769.

Apr. 24. To ditto paid *David Williamson*, for surveying High Roads, per Act
of Assembly, as per Receipt, ———— 1 : 5 : 0
To Cash paid *Stephen Skinner*, Esq. Treasurer, ———— 219 : 1 : 3
To ditto paid Col. *Mac Donald*, and sundry other Officers, for 1561 Ra-
tions (as per the Muster-Rolls) at 4d. Sterling £. 26 : 0 : 4, at 4/8
the Dollar, is New-York Currency £. 44 : 12 : 0 ———— 41 : 3 : 5

1464 : 4 : 11

To a Commission of 5 per Cent. for my Time and Trouble in solicit-
ing the Payment of the Rations for the Provincials,—collecting
and stating an Account from the Muster-Rolls, &c. by which I have
placed in the Treasury (clear of all Deductions) £. 1144 : 12 : 10, — 77 : 3 : 0

£. 1541 : 7 : 11

To Cash paid *Stephen Skinner*, Esq. Treasurer, for Balance of this Account, 1 : 14 : 8

£. 1543 : 2 : 7

Monies received of Col. *Robertson*, for *Four-pence* Sterling per Day
ment, to the Time the King's Provisions were issued to them,

CR.

1765.
Jan. 25. By Cash (received at sundry Times, as Rations for
the Years 1761 and 1762, by the Muster-Rolls)
£. 819 : 0 : 2 Sterling, which, at 4/8 the Dollar
is York Currency, £. 1404 : 0 : 3½
May —. By ditto, received for the Year 1764, per the Muster-
Rolls, £. 156 : 3 : 3 Sterling, which, at 4/8 the
Dollar, is 267 : 14 : 1¼
£. 1671 : 14 : 5¼

Proc.

£. 1543 : 2 : 7

WE, the Committees of the Council and Assembly, having examined the above Account and
the Vouchers relative thereto, do allow the same.

8th Sept. 1772.

RICHARD STOCKTON,
JOHN HINCHMAN,
SAMUEL TUCKER,
BENJAMIN HOLME,
THOMAS VAN HORNE.

Province of *New-Jersey* to *Samuel Sarjant*, late Barrack-Master,
at *Amboy*,

DR.		Contra CR.
To Sundries (as per Vouchers,		By Cash, received of <i>Stephen Skinner</i> , £. 12 : 17 : 2
allowed) — — — £. 23 : 4 : 2		Balance due, — — — 10 : 7 : 0
		£. 23 : 4 : 2
Errors excepted Sept. 8th. 1772.		
By the Committees,		
		<i>RICHARD STOCKTON,</i>
		<i>JOHN HINCHMAN,</i>
		<i>SAMUEL TUCKER.</i>

Province of *New-Jersey*, to *Hendrick Fisher*, late Barrack-Master,
in *Brunswick*,

DR.		Contra CR.
To Sundries supplied, per Vou-		
chers allowed, and indors'd — £. 2 : 1 : 2		Balance due, — — — £. 2 : 1 : 2
September 8th, 1772, Errors excepted.		
		<i>JOHN STEVENS,</i>
		<i>JOHN HINCHMAN,</i>
		<i>SAMUEL TUCKER.</i>

Province of *New-Jersey*, to *Edward Thomas*, late Barrack-Master
at *Elizabeth-Town*,

DR.		Contra CR.
To Sundries, per Vouchers in-		
dors'd and allowed, — — — £. 4 : 12 : 9		Balance due, — — — £. 4 : 12 : 9
September 8th, 1772, Errors Excepted.		
		<i>JOHN STEVENS,</i>
		<i>JOHN HINCHMAN,</i>
		<i>SAMUEL TUCKER,</i>
		<i>BENJAMIN HOLME,</i>
		<i>THOMAS VAN HORNE.</i>

The House adjourned till To-morrow Morning Nine o'Clock.

Thursday, September 10, 1772.

The House met.

The Bill, entitled, *A Supplementary Act to an Act, entitled, An Act to empower certain Persons therein mentioned, to raise a Sum of Money, &c. to rebuild and keep in Repair the Bridge over Raritan River at Bound-Brook*; was read the second Time, and committed to Mr. Tucker and Mr. Roy.

Journal

A Memorial from the Honourable *Stephen Skinner*, Esq. relative to the Robbery of the Eastern Treasury was read, and is as follows.

To the Honourable HOUSE of ASSEMBLY.

Gentlemen,

WHEN I had a Hearing before the late House of Assembly, at their Session in this Place, I little imagined that, from the Evidence laid before them, I should be so hardly dealt with, especially as Nothing appeared in the Course of the Evidence that could in the least "impeach my Conduct and Character," or adjudge me liable for the Monies stolen from the Treasury.

No Fact of the Kind can be better proved than that the Treasury was robbed.—Does it not appear that the Money was in the Chest, and kept in the same Manner it always had been? Why, then, am I as an Individual to be ruined by a Robbery which it does not appear I could foresee or prevent? It is said the Money was too negligently kept. How does this appear? The Evidence of Mr. *Sarjant* proves the Iron Chest to be full of Money on the Day preceeding the Night of the Robbery; — that it was kept as usual in a Room appropriated for the Treasury, and known to be there several Years, by many of the Members of the House, who I dare say, if they had thought it an improper Place, would have mentioned it.

If the Chest had been kept in an upper Room, and a Fire happened, and, before it was discovered, had got to so great a Height as to render it impossible to save the Chest with Money, would not the like Censure follow upon the same Principle upon which the House determined? Would it not have been said—The Treasurer was remiss in his Duty? Why did he carry a heavy Chest up Stairs? Why did he not leave it below in some handy Room where it could be more easily carried off, in case of Fire? Nay,—It might plausibly be said—An Iron Chest would have been sufficiently safe in a lower Room. In short, when Men are so disposed, Arguments will not be wanting to justify the severest Treatment to the most innocent Man.

It is in Evidence that the Key was kept in another Room, and that with which it was opened an old Key, never used by me, nor indeed, did I remember that there was such a one. This Key, I presume, was found in rifling my Desk that stood in the Room.

Does it hence follow, that I ought to be answerable for this Accident, and my Children made Beggars, for having kept the publick Money as safe as my own? Can it be said, that any Man in the Province will be so cruel and ungenerous as to ruin a Man for an Accident which he could not foresee? Why, then, is there an Endeavour to fully my Conduct and Character in this Manner, by a Resolution repugnant to a former one, and not warranted by any Evidence?—Nay, Evidence that acquits me of every Crime, and Charges me with no Negligence — for the Money was kept as usual, and in the Iron Chest. And I appeal to every Person, conversant in Matters of this Kind, Whether an Iron Chest, for the Purpose of keeping Mo-

ney, is not the only Place in which it ought to be kept — and whether the greatest Merchants (thro' whose Hands greater Sums pass than ever were in this Treasury) do not so keep their Money,—and that in a Room to which their Apprentices have always Admittance, and even the Care of.

The Expence and Trouble I have been at in endeavouring to detect the Robbery,—the uneasy Moments I have experienced since this unfortunate Affair happened, with any reasonable Man, would have been esteemed a sufficient Punishment, if any Neglect had appeared in me: But, when this unfortunate Affair has happened to me, from an Accident, for which I could not, in Justice, be answerable, it favors of Cruelty to punish me and my Children for the Act of a Villain; —a Cruelty unpractised by any but those who have eradicated the Principles of Charity and Humanity from their Breasts; — Principles which, I flatter myself, will ever glow in the Breasts of the Representatives of *New-Jersey*.

I do therefore hope that this House will, upon re-considering the Evidence, let Justice and Humanity be my Advocates, which will satisfy them, that Nothing in my Conduct has been criminal,—that the Public Money has been kept as safely as my own, and in the usual Manner, in an Iron Chest; — and point out the Severity of ruining a Man for a Matter that he could not prevent, and the Injustice and Inhumanity of laying a Burthen upon me that must begger my Children, without any legal or equitable Evidence to justify, in any Court, so hard a Sentence.

Perth-Amboy, }
Sept. 9th, 1772. }

STEPHEN SKINNER.

Ordered,

That the same be referred to a Committee of the whole House: Whereupon the House resolved itself into a Committee of the whole House on the said Memorial, and after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported, that the Committee had made some Progress in the Matters to them referred, and desired Leave to sit again this Afternoon; to which the House agreed.

The Bill Re-engrossed with the Council's Amendments, entitled, *An Act to enable the Owners and Possessors of the Meadow and Tide-Marsh, lying on Assiskunk Creek, &c. to erect and maintain a Bank, Dam, &c. across the said Creek, &c.* was read and compared,

Ordered,

That the Speaker sign the same.

Ordered,

That Mr. *Kinsley* and Mr. *Pettit* do carry the said Bill to the Council.

Mr. *Kinsley* reported, that Mr. *Pettit* and himself delivered the Bill with them intrusted, to the Speaker in Council.

The Petition from the Townships of *Pequanack, Hanover, Morris, Mendom,*

dom, and Roxbury, in Morris County, praying that a four Rod Road leading from the Bridge over *Rockaway* River, near *John Hemman's*, sen. may be supported and repaired by a Tax on the County of *Morris*, was read the second Time,

Ordered,

That the Petitioners have Leave to bring in a Bill at the next Session, unless Cause shewn to the contrary, and that a Copy of this Order be published in some one of the *York* News-Papers six Weeks before the next Session.

The House adjourned till Three, P. M.

The House met.

Mr. *Tucker*, from the Committee to whom was committed the Bill, entitled, *A Supplementary Act, to an Act, entitled, An Act to empower certain Persons therein named, to raise a Sum of Money, to rebuild and keep in Repair the Bridge over Raritan River at Bound-Brook, known by the Name of Queen's-Bridge*, reported the same with several Amendments, which with the Amendments in their Places were read; on the Question, Whether the same be engrossed? It passed in the Affirmative.

Ordered,

That the same be engrossed.

The Bill, entitled, *An Act to dissolve the Marriage of David Baxter, of the County of Hunterdon, with Margaret his Wife, &c.* was read the second Time, and committed to Mr. *Kinsley* and Mr. *Mehelm*.

The House according to Order resolved itself into a Committee of the whole House, on the Memorial of the Eastern Treasurer, relative to the Robbery of the Treasury; and after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee reported, that the Committee had gone through the Matters to them referred, and had come to two Resolutions, which he was ready to report whenever the House would please to receive the same.

Ordered,

That the Report be made immediately,

Whereupon Mr. *Fisher* reported the Resolutions of the Committee as follows.

1. *Resolved,*

That it is the Opinion of this Committee, that as the late House of Assembly fully inquired into the Robbery of the Eastern Treasury, and on that Inquiry came to a Determination, and as no new Evidence is suggested to induce the Committee to enter into a Re-hearing thereof, it is not proper for the Committee so to do, but that the Subject ought to be taken up upon the Resolutions of the late Assembly. To which the House agreed.

2. *Resolved,*

That it is the Opinion of this Committee, that a Message be presented to his Excellency the Governor, requesting that he would join with the Assembly in some Methods, or set on Foot some Prosecution, to bring the Treasurer to account for, and pay to the Colony the Sum said to be stolen from the Treasury, so that the Colony may receive the Benefit thereof. To which the House agreed *Nem. Con.*

Ordered,

Ordered,

That Mr. *Fisher*, Mr. *Wetherill*, Mr. *Kinsey*, and Mr. *Hinchman*, be a Committee to prepare the Draught of a Message to his Excellency accordingly.

The Engrossed Bill, entitled, *An Act for returning able and sufficient Jurors, and for the better Regulation of Juries*; was read and compared; on the Question,

Resolved,

That the same do pass.

Ordered,

That the Speaker sign the same.

Ordered,

That Mr. *Price* and Mr. *Hand* do carry the said Bill to the Council for Concurrence.

The House adjourned till To-morrow Morning, Nine o'Clock.

Friday, September 11, 1772.

The House met.

The House again, according to Order, resolved itself into a Committee of the whole House, on the Bill for Support of Government; and after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported, that the Committee had made some further Progress in the Matters to them referred, and desired Leave to sit again. To which the House agreed.

His Excellency's Message of the 8th Instant, with the Accounts of Colonel *Robertson* attending it, were read the second Time; and, on the Question,

Resolved,

That the Sum of £. 42 : 5 : 6, Proclamation Money, be allowed on the said Account.

Y E A S.

Mr. *Combs*,
Mr. *Wetherill*,
Mr. *Moore*,
Mr. *Crane*,
Mr. *Garritse*,
Mr. *Fisher*,
Mr. *Roy*,
Mr. *Ford*,
Mr. *Winds*,

Y E A S.

Mr. *Kinsey*,
Mr. *Hewlings*,
Mr. *Price*,
Mr. *Gibbon*,
Mr. *Holme*,
Mr. *Tucker*,
Mr. *Mekelm*,
Mr. *Van Horne*,
Mr. *Pettit*.

N A Y S.

Mr. *Taylor*,
Mr. *Lawrence*,
Mr. *Dey*,
Mr. *Demarest*,
Mr. *Paxson*,
Mr. *Sykes*,
Mr. *Hinchman*,
Mr. *Hand*,
Mr. *Sheppard*,
Mr. *Elmer*.

Ordered,

That Mr. *Fisher* and Mr. *Wetherill* be a Committee to prepare and bring in an Answer to his Excellency's Message.

The Engrossed Bill, entitled, *An Act for raising a Sum of Money on the Inhabitants of Somerset and Middlesex, for completing the Bridge over Raritan River at the Landing*; was read and compared, and, on the Question, Whether the same do pass or not? It passed as follows.

Y E A S.

Y E A S.

Mr. Lawrence,
Mr. Garritse,
Mr. Fisher,
Mr. Roy,
Mr. Dey,
Mr. Demarest,
Mr. Ford,
Mr. Winds,
Mr. Kinsey,

Y E A S.

Mr. Hewlings,
Mr. Price,
Mr. Gibbon,
Mr. Holme,
Mr. Tucker,
Mr. Mehelm,
Mr. Sheppard,
Mr. Van Horne,
Mr. Pettit.

N A Y S.

Mr. Combs,
Mr. Wetherill,
Mr. Moores,
Mr. Taylor,
Mr. Paxson,
Mr. Sykes,
Mr. Hinchman,
Mr. Hand,
Mr. Elmer.

Resolved,

That the same do pass.

Ordered,

That the Speaker do sign the same.

The Engrossed Bill, entitled, *A Supplementary Act to an Act, entitled, An Act to empower certain Persons therein named, to raise a Sum of Money by Subscription or Taxation, to rebuild and keep in Repair the Bridge near Bound-Brook, called Queen's-Bridge*, was read and compared; on the Question, Whether the same do pass or not? It was carried as follows.

Y E A S.

Mr. Lawrence,
Mr. Fisher,
Mr. Roy,
Mr. Dey,
Mr. Demarest,
Mr. Ford,
Mr. Winds,
Mr. Kinsey,
Mr. Hewlings,
Mr. Sykes,

Y E A S.

Mr. Hinchman,
Mr. Price,
Mr. Gibbon,
Mr. Holme,
Mr. Hand,
Mr. Tucker,
Mr. Mehelm,
Mr. Sheppard,
Mr. Elmer,
Mr. Pettit.

N A Y S.

Mr. Combs,
Mr. Wetherill,
Mr. Taylor,
Mr. Garritse,
Mr. Paxson,
Mr. Van Horne.

Resolved,

That the same do pass.

Ordered,

That the Speaker sign the same.

Ordered,

That Mr. Fisher and Mr. Mehelm do carry the said Bills to the Council for Concurrence.

Mr. Price reported, that Mr. Hand and himself delivered the Bill with them intrusted to the Speaker in Council.

The Re-engrossed Bill, entitled, *An Act to prevent the Exportation of unmerchantable Flour to foreign Markets*; was read and compared,

Ordered,

That the Speaker sign the same.

Ordered,

That Mr. Lawrence and Mr. Winds do carry the said Bill to the Council.

A Petition was presented from a Number of Inhabitants of Morris County, praying an Emission of Paper Money on Loan; which was read, and ordered a second Reading.

The House adjourned till Three, P. M.

The House met.

A Message from the Council by Mr. Coxe.

Ordered,

THAT Mr. Coxe do carry the Bill, entitled, *An Act to preserve the Right of Fishing to those owning and possessing Lands lying and being on the several Rivers, Creeks, and Bays within this Colony*, to the House of Assembly for their Concurrence.

Also Ordered,

That Mr. Coxe do carry the Bill, entitled, *An Act to take the Examination of a departing Witness*, with the Amendments thereto annexed, to the House of Assembly, and desire their Concurrence in the said Amendments.

By Order of the House,

CHA. PETTIT, D. Clerk.

The Bill sent from the Council, entitled, *An Act to preserve the Right of Fishing to those owning and possessing Lands lying and being on the several Rivers, Creeks, and Bays in this Colony*; was read, and ordered a second Reading.

The Bill, entitled, *An Act to take the Examination of a departing Witness*, was read with the Council's Amendments in their Places; and on the Question, the House disagreed to the Amendments made by the Council and adhered to the Bill.

Ordered,

That Mr. Kinsey and Mr. Gibbon do carry back the said Bill to the Council.

A Message from His Excellency by Mr. D. Secretary in the Words following, viz.

Gentlemen,

HIS Excellency Governor Tryon having communicated to me a Law of the Province of New-York, entitled, *An Act for establishing the Boundary or Partition Line between the Colonies of New-York, and Nova-Cæsarea or New-Jersey, and for confirming Titles and Possessions*; a Copy of which I now lay before you: And the Agents appointed by Law for the Management of the Controversy on the Part of New-Jersey, having applied to me to obtain a similar Law from the Legislature of this Province, I recommend this Matter to your immediate Consideration, and request that you would pass a Bill for the same desirable Purpose.

PERTH-AMBOY, }
Sept. 11, 1772.

WM. FRANKLIN.

Mr. Hinchman on a particular Occasion had Leave of Absence.

Mr. Gibbon, pursuant to Leave given in Behalf of the Petitioners, brought in a Bill, entitled, *An Act to enable the Owners of some Meadows and Marshes at Elfinborough in the County of Salem, to keep out the Tide from overflowing the same*; which was read, and ordered a second Reading.

Mr. Kinsey, from the Committee for that Purpose, reported the Draught

Draught of a Message to his Excellency, relative to the Monies stolen from the Treasury, which was read,

Ordered,

That the same be engrossed.

Pursuant to his Excellency's Message, Mr. *Fisher* brought in a Bill, entitled, *An Act for establishing the Boundary or Partition Line between this Colony, and the Colony of New-York, and for confirming Titles and Possessions*; which was read, and ordered a second Reading.

Mr. *Fisher* reported, that Mr. *Mehelm* and himself delivered the Bills with them intrusted, to the Speaker in Council.

Mr. *Lawrence* reported, that Mr. *Winds* and himself delivered the Bill with them intrusted, to the Speaker in Council.

The Petition of *Jonathan Bishop* an Insolvent Debtor, praying a Law for his Relief, &c. was read the second Time, and on the Question,

Ordered,

That the said Petition lie on the Table.

The Bill, entitled, *An Act to enable all Persons who are his Majesty's liege Subjects to hold Lands and Tenements, who were not naturalized at the Time of the Purchase, &c.* was read the second Time; on the Question,

Ordered,

That the same be engrossed.

The Bill, entitled, *An Act for the Preservation of Deer in the Township of Morris*, was read the second Time; on the Question, Whether the same be engrossed or not? It was carried as follows.

Y E A S.

Mr. *Combs*,
Mr. *Wetherill*.
Mr. *Moore*,
Mr. *Crane*,
Mr. *Garritse*,
Mr. *Fisher*,
Mr. *Ford*,
Mr. *Kinsley*,

Y E A S.

Mr. *Hewlings*,
Mr. *Hinchman*,
Mr. *Price*,
Mr. *Gibbon*,
Mr. *Hand*,
Mr. *Tucker*,
Mr. *Mehelm*,
Mr. *Elmer*.

N A Y S.

Mr. *Taylor*,
Mr. *Lawrence*,
Mr. *Roy*,
Mr. *Dey*,
Mr. *Demarest*,
Mr. *Paxson*,
Mr. *Sykes*,
Mr. *Holme*,
Mr. *Sheppard*,
Mr. *Van Horne*,
Mr. *Pettit*.

Ordered,

That the same be engrossed.

The Bill, entitled, *An Act to enable Col. John Schuyler, to erect and draw a Lottery for raising the Sum of £. 1050. to be applied for the Purposes therein mentioned*, was read the second Time,

Ordered,

That the same be engrossed.

The House adjourned till To-morrow Morning Nine o'Clock.

Saturday, September 12, 1772.

The House met.

A Petition was presented by *Martin Ryerson*, an Insolvent Debtor, praying Relief, &c. which was read, and ordered a second Reading.

The Engrossed Bill, entitled, *An Act to enable Persons who are His Majesty's liege Subjects, either by Birth or Naturalization, to inherit and hold Real Estates, &c.* was read and compared; on the Question,

Resolved,

That the same do pass.

Ordered,

That the Speaker sign the same.

The Engrossed Bill, entitled, *An Act for the Preservation of Deer in the Township of Morris*, was read and compared; on the Question,

Resolved,

That the same do pass.

Ordered,

That the Speaker sign the same.

Ordered,

That Mr. *Fisher* and Mr. *Ford* do carry the said Bills to the Council for Concurrence.

The Engrossed Message to his Excellency was read and compared, and is in the Words following, *viz.*

Ordered,

THAT Mr. *Price* and Mr. *Lawrence* do wait on his Excellency and inform him, That the House having taken into Consideration the State of the Eastern Treasury, and the Resolve made at the Session in October *Anno Domini* One Thousand Seven Hundred and Seventy—beg Leave to inform his Excellency,

That by the Oath of the Honourable *Stephen Skinner*, Esq. the present Treasurer, it appears that in the Month of July *Anno Domini* One Thousand Seven Hundred and Sixty-eight the Eastern Treasury was robbed of upwards of *Six Thousand Pounds* belonging to the Colony.

That in October *Anno Domini* One Thousand Seven Hundred and Seventy the late Assembly, in a Committee of the whole House, on a full and impartial Inquiry into the Circumstances of the same Robbery, was of Opinion, “That it happened for want of that Security and “Care that was necessary to keep it in Safety,” and resolved in the House on that Opinion, That the said Treasurer ought not to be allowed the Sum so said to be stolen from the said Treasury.

That notwithstanding this Resolution, tho’ the House is convinced that the said Treasurer doth not apprehend himself accountable for that Sum to the Publick, as in the Treasury, he is still continued in Office, the Publick Money still depends on his Care, and nothing hath been done to recover the aforesaid Deficiency.

That as the Officers of Government are appointed by his Excellency, and so more immediately under his Controul, and as the House cannot without his Assistance bring this unhappy Affair to a Determination, they humbly request and do not doubt but that his Excellency will join with them in the proper Measures to effect this desirable Purpose.

The

The House convinced of the Uneasiness of the Colony in General that this Matter hath passed so long unnoticed, and desirous to exculpate themselves from any Censure, in Justice to the Colony, apprehend themselves under a Necessity of making this Application, which they hope his Excellency will pay an immediate Attention to, that all just Reason of Complaint in future may be prevented, and that an Instance of so much Consequence to the Colony may receive a just and final Decision.

HOUSE OF ASSEMBLY, }
Sept. 12, 1772. }

By Order of the House,
JONA. DEARE, Clerk.

The House again, according to Order, resolved itself into a Committee of the whole House on the Bill for the Support of Government, and after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. Fisher, Chairman of the Committee, reported that the Committee had gone through the Matters to them referred, and had come to several Resolutions, which he was ready to report whenever the House would please to receive the same.

Ordered,

That the said Report be made immediately:

Whereupon Mr. Fisher reported the Resolutions of the Committee, as follows; viz.

1. Resolved,

That in and by the said Bill, when passed into a Law, there be paid to his Excellency William Franklin, Esq. Governor of this Colony, at the Rate of £. 1200 *per Annum*, Proclamation Money, to commence the first Day of *October* next; and on the Question, Whether the House agrees to said Sum, or not? It passed in the Affirmative, as follows.

YEAS.

Mr. Crane,
Mr. Garritse,
Mr. Fisher,
Mr. Roy,
Mr. Dey,
Mr. Demarest,
Mr. Ford,
Mr. Winds,
Mr. Kinsey,
Mr. Hewlings,

YEAS.

Mr. Price,
Mr. Gibbon,
Mr. Holme,
Mr. Tucker,
Mr. Mehelm,
Mr. Sheppard,
Mr. Elmer,
Mr. Van Horne,
Mr. Pettit.

NAYS.

Mr. Combs,
Mr. Wetherill,
Mr. Moores,
Mr. Taylor,
Mr. Lawrence,
Mr. Paxson,
Mr. Sykes,
Mr. Hand,
who voted for
£. 1000.

2. To Charles Read, Esq. second Justice of the Supreme Court of this Colony, at the Rate of £. 100 *per Annum*, Money aforesaid; and on the Question, Whether the House agrees thereto or not? It passed in the Affirmative, as follows,

YEAS.

Mr. Crane,
Mr. Fisher,
Mr. Roy,
Mr. Demarest,
Mr. Ford,
Mr. Winds,
Mr. Kinsey,
Mr. Hewlings,
Mr. Paxson,
Mr. Price,

YEAS.

Mr. Gibbon,
Mr. Holme,
Mr. Mehelm,
Mr. Sheppard,
Mr. Elmer,
Mr. Van Horne,
Mr. Pettit.

NAYS.

Mr. Combs,
Mr. Wetherill,
Mr. Moores,
Mr. Taylor,
Mr. Lawrence,
Mr. Dey,
Mr. Hand,
who voted for
£. 75.

NAYS.

Mr. Garritse,
Mr. Sykes,
Mr. Tucker,
who voted for
£. 80.

3. To *David Ogden*, Esq. third Justice of the Supreme Court of this Colony, at the Rate of £. 100 *per Annum*, Money aforesaid ; and on the Question, Whether the House agrees thereto, or not ? It was carried in the Affirmative, as follows.

YEAS.	YEAS.	NAYS.	NAYS.
Mr. <i>Crane</i> ,	Mr. <i>Price</i> ,	Mr. <i>Combs</i> ,	Mr. <i>Garritse</i> ,
Mr. <i>Fisher</i> ,	Mr. <i>Gibbon</i> ,	Mr. <i>Wetherill</i> ,	Mr. <i>Sykes</i> ,
Mr. <i>Roy</i> ,	Mr. <i>Holme</i> ,	Mr. <i>Moore</i> ,	Mr. <i>Tucker</i> ,
Mr. <i>Demarest</i> ,	Mr. <i>Mehelut</i> ,	Mr. <i>Taylor</i> ,	who voted for
Mr. <i>Ford</i> ,	Mr. <i>Sheppard</i> ,	Mr. <i>Lawrence</i> ,	£. 80.
Mr. <i>Winds</i> ,	Mr. <i>Elmer</i> ,	Mr. <i>Dey</i> ,	
Mr. <i>Kinsey</i> ,	Mr. <i>Van Horne</i> .	Mr. <i>Hand</i> ,	
Mr. <i>Hewlings</i> ,		who voted for	
Mr. <i>Paxson</i> ,		£. 75.	

4. To *Cortland Skinner*, Esq. Attorney-General of this Colony, at the Rate of £. 30 *per Annum*, Money aforesaid : To which the House agreed.

5. To *Samuel Smith* and *Stephen Skinner*, Esqrs. Treasurers of this Colony, each at the Rate of £. 40 *per Annum* : To which the House agreed.

6. To the Clerk of the Council, for the Time being, at the Rate of £. 30 *per Annum*, Money aforesaid : To which the House agreed.

7. To *Dr. Benjamin Franklin*, Agent of this Colony, at the Rate of £. 100 *per Annum*, Money aforesaid : To which the House agreed.

8. To the Clerk of the Circuits, for the Time being, residing in this Colony, the Sum of £. 20 *per Annum*, Money aforesaid : To which the House agreed.

9. To the Door-keeper of the Council of this Colony, at the Rate of £. 10 *per Annum* : To which the House agreed.

10. To his Excellency *William Franklin*, Esq. at the Rate of £. 60 *per Annum*, Money aforesaid, for House-Rent, provided he makes *Perth-Amboy* or *Burlington* the Place of his Residence : To which the House agreed.

11. To any Justice of the Supreme Court of this Colony, for attending the Circuit Courts and Courts of Oyer and Terminer, in the Manner prescribed by the said Act, the Sum of £. 10 for each Time : To which the House agreed.

12. To each of the Council, for the Time they may attend at any Sitting of General Assembly, within the Time, *Six Shillings per Day* : To which the House agreed,

13. To *Jonathan Deare*, one of the Clerks of the House of Representatives, or any other Clerk, for his Attendance, the Sum of *Ten Shillings per Day* for the Time he hath or shall attend at any Sitting of General Assembly during the Continuance of this Act ; also the Sum of *Four-pence per Sheet*, reckoning Ninety Words to a Sheet, for entering the Minutes of any Sitting during the Continuance of this Act fair in the Book kept for that Purpose, and copying the Laws and Minutes for the Printer. To which the House agreed.

14. To *Charles Bettit*, Esq. Deputy Secretary, or to the Deputy Secretary for the Time being, for copying Publick Laws to send Home to *England*, during

during the Continuance of this Act, *Four-pence* per Sheet, reckoning Ninety Words to the Sheet. To which the House agreed.

15. To each of the Treasurers of this Colony *Six-pence per Pound* for exchanging ragged and torn Bills of Credit of this Colony. To which the House agreed.

16. To *Isaac Collins*, or any other Printer hereafter to be appointed, for printing the Minutes of the House of Representatives of any Sitting during the Continuance of this Act, and for printing the Laws passed at any Sitting as aforesaid, or any other Printing, such Sums as *Hendrick Fisher, Stephen Crane, James Kinsley, and Thomas Polegreen Hewlings*, Esquires, or any two of them, shall agree to be paid for the said Service. To which the House agreed.

17. To the Serjeant at Arms for the Time being, who shall attend the Council, the Sum of *Three Shillings* per Diem; and to the Serjeant at Arms who shall attend the House of Representatives, the Sum of *Three Shillings* per Diem. To which the House agreed.

18. To the Door-keeper of the House of Representatives for the Time being, who shall attend the House in Manner aforesaid, the Sum of *Three Shillings and Six-pence* per Diem. To which the House agreed.

19. To the Speaker, and every of the Members of the House of Representatives, for the Time each of them shall attend at any Sitting of General Assembly, during the Continuance of this Act, *Six Shillings* per Diem. To which the House agreed.

Ordered,

That the Bill for Support of Government as reported and agreed to, be engrossed.

Mr. *Price* reported, that Mr. *Lawrence* and himself delivered the Message with them intrusted to his Excellency, who was pleased to say he would take the same into Consideration.

Mr. *Gibbon* reported, that Mr. *Kinsley* and himself delivered the Bill with them intrusted, to the Speaker in Council.

Mr. *Mehelm*, from the Committee to whom was committed the Bill, entitled, *An Act to dissolve the Marriage of David Baxter, &c.* reported the same with Amendments, which was read with the Amendments in their Places; and several Amendments being made thereto in the House, on the Question,

Ordered,

That the same be engrossed.

The Bill, entitled, *An Act to enable the Owners of some Meadows and Marshes at Elfinborough in the County of Salem, to keep out the Tide from overflowing the same*, was read the second Time, and committed to Mr. *Holme* and Mr. *Price*.

The House adjourned till Three, P. M.

The House met.

Mr. *Crane* with Leave brought in a Bill, entitled, *An Act appointing certain Persons Commissioners for laying out and keeping in Repair certain Roads to and from Paulus-Hook, &c.* was read, and ordered a second Reading.
Mr.

Mr. *Combs* with Leave brought in a Bill, entitled, *An Act for the inspecting and culling Staves, Heading, Hoops, &c. that shall be exported from the Province of New-Jersey*; which was read, and ordered a second Reading.

Mr. *Fisher* reported, that Mr. *Ford* and himself delivered the Bills with them intrusted, to the Speaker in Council.

The Bill, entitled, *An Act for establishing the Boundary or Partition Line between the Colonies of New-York, and New-Jersey, &c.* was read the second Time, and committed to Mr. *Dey*, Mr. *Demarest*, Mr. *Van Horne*, and Mr. *Pettit*.

The Engrossed Bill, entitled, *An Act to enable certain Persons to erect and draw a Lottery for raising the Sum of £. 1050, to be applied for the Purposes therein mentioned*; was read and compared, and on the Question, Whether the same pass or not? It was carried as follows.

Y E A S.	Y E A S.	N A Y S.
Mr. <i>Combs</i> ,	Mr. <i>Ford</i> ,	Mr. <i>Lawrence</i> ,
Mr. <i>Wetherill</i> ,	Mr. <i>Winds</i> ,	Mr. <i>Roy</i> ,
Mr. <i>Moore</i> s,	Mr. <i>Gibbon</i> ,	Mr. <i>Paxson</i> ,
Mr. <i>Taylor</i> ,	Mr. <i>Holme</i> ,	Mr. <i>Sykes</i> ,
Mr. <i>Garritse</i> ,	Mr. <i>Tucker</i> ,	Mr. <i>Price</i> ,
Mr. <i>Fisher</i> ,	Mr. <i>Van Horne</i> ,	Mr. <i>Hand</i> ,
Mr. <i>Dey</i> ,	Mr. <i>Pettit</i> .	Mr. <i>Sheppard</i> ,
Mr. <i>Demarest</i> ,		Mr. <i>Elmer</i> .

Resolved,

That the same do pass.

Ordered,

That the Speaker sign the same.

Ordered,

That Mr. *Dey* and Mr. *Garritse* do carry the said Bill to the Council for Concurrence.

The House adjourned till Monday Morning Nine o'Clock.

Monday, September 14, 1772.

The House met.

Mr. *Tucker*, from the Committee to whom was committed the Bill, entitled, *An Act for regulating Roads and Bridges*, reported the same with several Amendments, which were read; and several Amendments being made in the House, the further Consideration thereof was referred till the Afternoon.

The House adjourned till Three, P. M.

The House met.

The House took into further Consideration the Bill, entitled, *An Act for regulating Roads and Bridges*; and the same with the several Amendments were read; and several Amendments being made thereto, on the Question,

Ordered,

That the same be engrossed.

The

The House adjourned till To-morrow Morning Nine o'Clock.

Tuesday, September 15, 1772.

The House met.

Mr. Price, from the Committee to whom was committed the Bill, entitled, *An Act to enable the Owners of some Meadows and Marshes at Elfinborough in the County of Salem, to keep out the Tide, &c.* reported the same with Amendments, which was read with the Amendments in their Places; and on the Question,

Ordered,

That the same be engrossed.

The Petition of sundry Inhabitants of *Windfor* in *Middlesex*, praying a Law to clear *Affinpink* Brook, was read the second Time,

Ordered,

That the Petitioners have Leave to bring in a Bill at the next Session, they giving six Weeks Notice in the publick News-Papers of their intended Application.

Mr. Tucker, from the Committee to whom was committed the Bill, entitled, *An Act for removing the several Obstructions of the Waters in Passaick River, &c.* reported the same with Amendments, which were read with the Amendments in their Places; and on the Question,

Ordered,

That the same be engrossed.

Mr. Dey reported, that Mr. Garritse and himself delivered the Bill with them intrusted to the Speaker in Council.

The Petitions from *Burlington*, *Somerfet*, and *Morris*, praying a Law for an Emission of Paper Money on Loan, &c. were read the second Time, and on the Question, Whether the same be referred to the next Session, or not? It passed as follows,

For Referring.

Mr. Combs,	Mr. Sykes,
Mr. Wetherill,	Mr. Price,
Mr. Taylor,	Mr. Gibbon,
Mr. Lawrence,	Mr. Holme,
Mr. Dey,	Mr. Hand,
Mr. Kinsey,	Mr. Sheppard,
Mr. Hewlings,	Mr. Elmer,
Mr. Paxson,	

Against Referring.

Mr. Moores,
Mr. Crane,
Mr. Garritse,
Mr. Fisher,
Mr. Roy,
Mr. Demareff,
Mr. Ford,
Mr. Winds,
Mr. Tucker,
Mr. Mehelm,
Mr. Van Horne,
Mr. Pettit,

Ordered,

That the same be referred to the next Session.

The Bill sent down by the Council, entitled, *An Act to preserve the Right of Fishing in those owning and possessing Lands lying and being on the several Rivers, Creeks, and Bays in this Colony;* was read the second Time, and committed to Mr. Kinsey and Mr. Mehelm.

A Message from the Council by Mr. Parker.

Council-Chamber, Sept. 15, 1772.

Ordered,

THAT Mr. Parker do carry to the House of Assembly the Bill, entitled, *An Act to prevent Abuses in the packing of Beef and Pork*, &c. with the Amendments thereunto annexed, and desire the Concurrence of the House of Assembly in the said Amendments.

Ordered also,

That Mr. Parker do carry the Bill, entitled, *An Act to prevent the holding of Fairs in the City of Burlington, Princeton, and Township of Windsor*, to the House of Assembly for their Concurrence.

By Order of the House,

CHA. PETTIT, D. Clerk.

A Message from the Council by Mr. Skinner.

Ordered,

THAT Mr. Skinner do acquaint the House of Assembly, that this House has passed the Bill, entitled, *An Act for the Relief of Benjamin Ayers, &c. An Act for raising the Sum of Four Hundred and Fifty Pounds Proclamation Money on the Inhabitants of the Counties of Somerset and Middlesex, &c. And A Supplementary Act to an Act, entitled, An Act to impower certain Persons therein named, to raise a Sum of Money by Subscription or by Taxation, to rebuild and keep in Repair the Bridge over Raritan River near Bound-Brook, &c. without any Amendment.*

By Order of the House,

CHA. PETTIT, D. Clerk.

The Bill, entitled, *An Act for the inspecting and culling Staves, Heading, Hoops, &c.* was read the second Time; and on the Question,

Ordered,

That the same be engrossed.

The Bill sent down by the Council, entitled, *An Act to prevent the holding of Fairs, &c.* was read, and ordered a second Reading.

The Bill, entitled, *An Act to prevent Abuses in the packing of Beef and Pork, &c.* was read with the Council's Amendments in their Places; on the Question, the House agrees to the Council's Amendments;

Ordered,

That the said Bill with the Council's Amendments be re-engrossed.

The Bill, entitled, *An Act appointing certain Persons Commissioners for laying out and keeping in Repair certain Roads to and from Paulus-Hook, &c.* was read the second Time;

Ordered,

That the same be referred to next Session of Assembly.

The House adjourned till Three, P. M.

The House met.

The Engrossed Bill, entitled, *An Act for the Support of Government of his Majesty's Colony of New-Jersey, from the first Day of October 1772,*
to

to the first Day of October 1773, &c. was read and compared ; and on the Question,

Resolved,

That the same do pass.

Ordered,

That the Speaker sign the same.

Ordered,

That Mr. *Fisher*, Mr. *Wetherill*, Mr. *Crane*, Mr. *Kinsley*, Mr. *Paxson*, and Mr. *Lawrence*, do carry the said Bill to the Council for Concurrence.

The Engrossed Bill, entitled, *An Act to dissolve the Marriage of David Baxter, &c.* was read and compared ; and on the Question,

Resolved,

That the same do pass.

Ordered,

That the Speaker sign the same.

Ordered,

That Mr. *Tucker* and Mr. *Winds* do carry the said Bill to the Council for Concurrence.

Mr. *Fisher* reported, that Mr. *Wetherill*, Mr. *Crane*, Mr. *Kinsley*, Mr. *Paxson*, Mr. *Lawrence* and himself delivered the Bill for Support of Government to the Speaker in Council.

Mr. *Kinsley*, from the Committee to whom was committed the Bill sent down by the Council, entitled, *An Act to preserve the Right of Fishing, &c.* reported the same without any Amendment; which was read, and on the Question,

Ordered,

That the said Bill do lie on the Table.

Mr. *Tucker* reported, that Mr. *Winds* and himself delivered the Bill with them intrusted, to the Speaker in Council.

A Message from His Excellency by Mr. D. Secretary *Pettit*.

Gentlemen,

I HAVE received a Return from several of the Assessors of the County of *Hunterdon* of the Number of Inhabitants, &c. in their respective Townships, with a Petition requesting a Recompence for their extraordinary Trouble in taking the Lists which I now lay before your House. As many of them were not made acquainted with my Request until after they had been about their Townships to take the Rateables, and therefore had the Trouble of going about a second Time, and as they have executed the Business with Care and Affiduity, I cannot but recommend them, and such others as shall hereafter appear to have acted in the same obliging and publick spirited Manner, to your House for some Compensation adequate to their Services.

September 15, 1772.

W^m. FRANKLIN.

Which with the Papers attending it were read, and ordered a second Reading.

A Message from His Excellency by Mr. D. Secretary Pettit.

A MESSAGE to the ASSEMBLY.

Gentlemen,

WHEN the Robbery of the Eastern Treasury was committed, I did every thing in my Power to discover the Persons concerned, and recover the Money. Upon the first Meeting of the Assembly afterwards, I acquainted them with what I had done, and laid before them every Information I could procure relative to that Transaction. At the same Time I told them in my Speech, that “if any Expedient could be suggested which might have a Tendency to secure the Province from the like Disaster in future, it would not fail of meeting with my most hearty Concurrence.” The Assembly in their Address acknowledge themselves “satisfied of the *early Care of Government* and of my *particular Endeavours* in that respect,” and add, that they will do therein, “what shall appear to them consistent with the strictest Impartiality and Publick Justice, *not doubting my Readiness to comply with any Expedient that may be suggested which may have a Tendency to secure the Colony from the like Disaster in future.*”

During the Session in November 1769, the Eastern Treasurer laid before the House a State of the Treasury at the Time the Robbery was committed, then submitted the whole of his Conduct to the Inquiry of the House, and declared that tho’ he hoped they would “be indulgent to his Errors, yet he desired no Mercy for any Guilt.” A Committee of the whole House spent some Time in inquiring into the Affair, and examining the Treasurer, and then reported, “that through the Course of the Examination, *not any Thing had appeared to impeach his Conduct or Character.*” To which the House agreed, and referred the further Inquiry into that Matter to the next Sitting of Assembly at *Amboy*. Before the Assembly were prorogued, however, I obtained Bonds from each of the Treasurers, with sufficient Sureties, for the due Performance of their Duty, which had never before been required of them either by Law or otherwise; a Circumstance I was not till then acquainted with, as they had both been appointed to their Office before my Administration.

I have been the more particular in reciting these Transactions, as you take not the least Notice of them in the Account you give of this Affair in your Message, but mention only the Resolve of the Assembly at the ensuing Session at *Amboy*, in *October* 1770, in which the House declare “That the Robbery of the Treasury happened for want of that Security and Care that was necessary to keep it in Safety, and that the Treasurer ought not to be allowed the Sum so said to be stolen from the Treasury.”—Had nothing but this Resolve passed in the Assembly relative to this Matter, there might be some Appearance of Justice in your complaining to me, “that *notwithstanding this Resolution*, tho’ the House is convinced that the said Treasurer doth not apprehend himself accountable for that Sum to the Publick, as in the Treasury, *he is still continued in Office, the Publick Money still depends on his Care, and nothing hath been done to recover the aforesaid Deficiency.*”

On

On this Head, give me Leave, Gentlemen, to ask you a few Questions. Do you think it would have been just in me to have removed the Treasurer from his Office before the Assembly had made any Inquiry into his Conduct, or he had had an Opportunity of being heard in his Justification? Would it have been right to have removed him after the Assembly had made their first Inquiry, when they expressly declared on their Minutes "that through the Course of the Examination not *any Thing* had appeared to impeach the Conduct or Character of the *said Treasurer*," and referred the Matter for further Inquiry to another Session? Could I, with Propriety, have done it after the Assembly had made that further Inquiry and come to the Resolution above-mentioned, as they not only neither requested it of me, nor gave me the least Intimation that such a Thing would be agreeable to them, but gave me a pretty strong Reason to think otherwise, by voting to the Eastern Treasurer by Name, in two Days after, a Salary for the Year ensuing? Or, would it be proper for me even now to remove him from his Office, seeing that tho' you have had this Matter for some Time under your particular Consideration, you have not only not desired me to do it, but when a Resolve for the Purpose was lately proposed in a Committee of your whole House, it was rejected as unjust, and the House have since voted him by Name the Salary for the ensuing Year as usual?

If you really, Gentlemen, think the Eastern Treasurer ought to be removed from his Office, you ought to tell me so in plain Terms, and give me your Reasons. If you do not judge it right that he should be removed at present, you then have acted a very ungenerous Part by me in intimating a Dissatisfaction that *he is still continued in Office notwithstanding the Resolution of a former Assembly*. What I look upon as equally uncandid is, your Complaint that "the Publick Money still depends on his Care, and nothing hath been done to recover the Deficiency," when the Assembly has had from the first an Assurance under my Hand, that "if *any Expedient* can be suggested which may have a Tendency to secure the Province from the *like Disaster* in future, *it will not fail to meet my most hearty Concurrence*." Besides you well know, that neither the last nor present Assembly have ever before so much as suggested such an Expedient to me, or proposed the taking any Steps to recover the Money. So that if there has been any Neglect or Omission in this Case, I surely ought to be excused from bearing any Share of the Blame: For tho' you are pleased to say that "the Officers of Government are appointed by me and so more immediately under my Controul," yet you must know at the same Time, that I have no other Controul over them but to remove such of them as hold their Commissions during Pleasure, when it has been satisfactorily proved that they have acted inconsistently with their Duty; and you must likewise be convinced that Officers of Government are not less amenable to the Laws of the Country than other Persons. As to the Treasurers in particular, the Assemblies in this Province have long exercised a far greater Controul over them than any Governors have ever attempted. They not only examine and settle their Accounts after

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the Committees have reported on them, but, by a simple Resolve of their own House, often order the Treasurers to sue for the Publick Debts, to make Abatements, to postpone demanding of Payments due to the Colony, and many other Things of a similar Nature, without so much as asking the Concurrence of any other Branch of the Legislature. The Governor does not even see an Account of the Treasurers till it is published on the Minutes of the House of Representatives, nor has he any Kind of Connexion with the Business of their Office, except signing such Warrants or Orders upon them as are directed by Act of Assembly.

On the whole, Gentlemen, if the House is, as you say “convinced of the Uneasiness of the Colony in General that this Matter hath passed so long unnoticed,” you are so far excusable in endeavouring “to exculpate yourselves from any Censure ;” but, to do this, there was no Necessity for your even insinuating that I have been any ways culpable on the Occasion, as you have too plainly done, in what you have said with respect to the Continuance of the Treasurer in Office, and the present Situation of the publick Money.

Whether the Treasurer is liable by Law to make good the Sum stolen out of the Treasury, and whether the Matter can be properly tried in this Province, where every Freeholder may be considered in some Measure as a Party, are Questions which require mature Consideration. It is, however, as you justly observe, a Matter “of much Consequence to the Colony,” and ought to “receive a just and final Decision, that all just Reason of Complaint in future may be prevented.” You may therefore rely, that whenever you point out to me such “proper Measures for effecting this desirable Purpose,” as I can with Propriety join in, my Assistance shall not be wanting.

WM. FRANKLIN.

Which was read, and ordered a second Reading.

On a Motion made by Mr. *Tucker*, to repeal such Part of the Quota Bill by which Taxes are laid on Stills that distil spirituous Liquors from Apples, Peaches or other Fruit, for Sale or Hire ; and on the Question it was carried in the Negative.

Mr. *Fisher*, from the Committee appointed for that Purpose, brought in the Draught of a Message to his Excellency in Answer to his Message of the 8th Instant ; which was read, and ordered to be engrossed, and is as follows,

Ordered,

✓ **T**HAT Mr. *Dey* and Mr. *Winds* do wait on his Excellency, and inform him, That this House hath taken into Consideration the Account for supplying the sick Soldiers left at the Barracks in *Elizabeth-Town*, in *November* last, mentioned in his Excellency's Message of the 8th Instant, and hath come to a Resolution to allow £. 45 15 9 *New-York* Currency, and will make Provision by Law for Payment of the same. That the *Two* and a *Half per Cent.* for laying out that Money, and the Charge for issuing the Wood, the House apprehends are for Services incumbent on the Barrack-master, who is an Officer of the Army,

Army, and as such receives a Salary from the Crown, this House therefore do not think it reasonable to allow the same.

By Order of the House,

JONA. DEARE, Clerk.

The House adjourned till To-morrow Morning Nine o'Clock.

Wednesday, September 16, 1772.

The House met.

The Bill sent down by the Council, entitled, *An Act to prevent the holding of Fairs in the City of Burlington, Princeton, and Township of Windfor*; was read the second Time,

Ordered,

That the same be committed to Mr. *Wetherill* and Mr. *Sykes*.

The engrossed Bill, entitled, *An Act for clearing and removing the several Obstructions of the free Course of the Waters in Passaick River, and the Branches thereof, &c.* was read and compared; and on the Question, Whether the same do pass, or not? It was carried as follows,

Y E A S.	Y E A S.	Y E A S.	N A Y S.
Mr. <i>Combs</i> ,	Mr. <i>Demarest</i> ,	Mr. <i>Holme</i> ,	Mr. <i>Garritse</i> ,
Mr. <i>Wetherill</i> ,	Mr. <i>Ford</i> ,	Mr. <i>Hand</i> ,	Mr. <i>Wind</i> ,
Mr. <i>Moore</i> ,	Mr. <i>Kinsey</i> ,	Mr. <i>Tucker</i> ,	
Mr. <i>Taylor</i> ,	Mr. <i>Hewlings</i> ,	Mr. <i>Mebelm</i> ,	
Mr. <i>Lawrence</i> ,	Mr. <i>Paxson</i> ,	Mr. <i>Sheppard</i> ,	
Mr. <i>Crane</i> ,	Mr. <i>Sykes</i> ,	Mr. <i>Elmer</i> ,	
Mr. <i>Fisher</i> ,	Mr. <i>Price</i> ,	Mr. <i>Van Horne</i> ,	
Mr. <i>Roy</i> ,	Mr. <i>Gibbon</i> ,	Mr. <i>Pettit</i> .	
Mr. <i>Dey</i> ,			

Resolved,

That the same do pass.

Ordered,

That the Speaker sign the same.

Ordered,

That Mr. *Dey* and Mr. *Ford* do carry the said Bill to the Council for Concurrence.

His Excellency's Message of Yesterday relative to the Robbery of the Treasury, was read the second Time,

Whereupon the House resolved itself into a Committee of the whole House on the said Message, and after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported that the Committee had made some Progress in the Matters to them referred, and desired Leave to sit again. To which the House agreed.

A Message from the Council by Lord *Stirling*.

Council-Chamber, Sept. 16, 1772.

Ordered,

THAT Lord *Stirling* do carry to the House of Assembly and desire their Concurrence in the Bill, entitled, *An Act to regulate the Practice of Physic and Surgery, within the Colony of New-Jersey.*

By Order of the House,

CHA. PETTIT, D. Clerk.

A Message from the Council by Mr. *Coxe*.

Council-Chamber, Sept. 16, 1772.

Ordered,

THAT Mr. *Coxe* do acquaint the House of Assembly, that this House has passed the Bill, entitled, *An Act to enable all Persons who are his Majesty's liege Subjects either by Birth or Naturalization, to inherit and hold Real Estates, &c. without any Amendment.*

By Order of the House,

CHA. PETTIT, D. Clerk.

A Message from the Council by Mr. *Skinner*.

Council-Chamber, Sept. 16, 1772.

Ordered,

THAT Mr. *Skinner* do acquaint the House of Assembly, that the Bill, entitled, *An Act for the better Preservation of Deer in the Township of Morris*, is passed in Council, without any Amendment.

By Order of the House,

CHA. PETTIT, D. Clerk.

A Message from the Council by Mr. *Parker*.

Council-Chamber, Sept. 16, 1772.

Ordered,

THAT Mr. *Parker* do carry the Bill, entitled, *An Act to dissolve the Marriage of David Baxter with Margaret his Wife, late Margaret Mac Murtry*, with the Amendments thereunto annexed, to the House of Assembly, and desire their Concurrence in said Amendments.

By Order of the House,

CHA. PETTIT, D. Clerk.

The House adjourned till Three, P. M.

The House met.

The Bill, entitled, *An Act to dissolve the Marriage of David Baxter, &c.* with the Council's Amendments thereto, were read in their Places; and on the Question, the House agreed to the Amendments made by the Council,

Ordered,

That the said Bill with the Council's Amendments be re-engrossed.

The

The Bill sent down by the Council, entitled, *An Act to regulate the Practice of Physick and Surgery, &c.* was read, and ordered a second Reading.

The House, according to Order, resolved itself into a Committee of the whole House on his Excellency's Message of Yesterday, relative to the Robbery of the Treasury, and after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported, that the Committee had gone through the Matters to them referred, and had come to one Resolution which he was ready to report whenever the House would please to receive the same,

Ordered,

That the Report be made immediately :

Whereupon Mr. *Fisher* reported the Resolution of the Committee as follows,

Resolved,

That an Answer be prepared to his Excellency's Message in Answer to the Message of this House, relative to the Treasury.

Ordered,

That Mr. *Kinsley*, Mr. *Tucker*, Mr. *Lawrence*, and Mr. *Price* be a Committee to prepare and bring in the same.

Mr. *Wetherill*, from the Committee to whom was committed the Bill, entitled, *An Act to prevent the holding of Fairs in the City of Burlington, Princeton, and Township of Windsor* ; reported the same without any Amendment, which was read, and on the Question,

Resolved,

That the same do pass.

Ordered,

That the Speaker sign the same.

Ordered,

That Mr. *Sykes* and Mr. *Moore*s do carry to the Council the said Bill, and inform them, that this House has passed the same without any Amendment.

The Petition from *Effex* and *Bergen*, setting forth that the stopping the River *Passaick* is greatly prejudicial to them both in Fishing and Navigation, &c. and praying a Law to remedy the same, &c. was read the second Time,

Ordered,

That the same be referred to the next Session.

Mr. *Fisher* moved for Leave to bring in a Bill to lower the Interest of Money in this Colony ; on the Question,

Ordered,

That he have Leave to bring in a Bill at the next Session of Assembly.

His Excellency's Messages of the 9th and 15th Instant, respecting the numbering the Inhabitants, and an Allowance to the Assessors, &c. for taking the Lifts, were read the second Time ; and after some Debate thereon, on the Question,

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Ordered,

Ordered,

THAT Mr. *Mehelm* and Mr. *Hewlings* do wait on his Excellency and inform him, that the House have taken his Excellency's Messages of the 9th and 15th Instant into Consideration, and as the Time of assessing the Inhabitants by Law is passed, and there is now no Probability that a complete List can be had this Year, that the Members of this House will in their several Counties countenance the taking the Lists proposed by his Excellency at the Time of next assessing the Inhabitants, when the House hopes the Lists will not only be taken with Accuracy, but with less Expence and Trouble both to the Assessors and the People; and that when the Returns are completed, that the House will take the Matter into further Consideration.

By Order of the House,

JONA. DEARE, *Clerk.*

Mr. *Dey* and Mr. *Winds* reported, that they delivered the Message with them intrusted, to his Excellency the Governor.

Mr. *Pettit*, having shewn the House an Advertisement in the *Pennsylvania Journal* of the 29th of *June* last, that a Number of the Proprietors of a Tract of Land called the Great Meadows in the County of *Suffex*, intended to apply at this Session for a Law to enable them to drain the same, and it being too late to enter into a Bill at this Session,

Ordered,

That the said Proprietors have Leave to bring in a Bill at the next Session of Assembly.

The House adjourned till To-morrow Morning Nine o'Clock.

Thursday, September 17, 1772.

The House met.

The Re-engrossed Bill, entitled, *An Act to dissolve the Marriage of David Baxter, &c.* with the Council's Amendments thereto, was read and compared; and on the Question,

Ordered,

That the Speaker sign the same.

The Re-engrossed Bill, entitled, *An Act to prevent Abuses in the packing of Beef and Pork, &c.* with the Council's Amendments thereto, was read and compared; on the Question,

Ordered,

That the Speaker sign the same,

Ordered,

That Mr. *Taylor* and Mr. *Sheppard* do carry the said Bills to the Council.

Mr. *Dey* and Mr. *Ford* reported, that they delivered the Bill to them intrusted to Lord *Stirling*, one of the Council.

Mr. *Sykes* and Mr. *Moore*s reported, that they delivered the Bill to them intrusted to *Charles Read*, Esq. one of the Council.

On a Motion made by Mr. *Roy* for Leave to bring in a Bill more effectually to suppress Immorality; on the Question, *Ordered,*

Ordered,

That Mr. Roy have Leave to bring in a Bill accordingly.

The Petition of *Martin Ryerson*, an Insolvent Debtor, was read the second Time; and a Memorial presented by *John Smyth*, Esq. Attorney for *Oliver De Lancey*, Esq. setting forth the very great Indulgence shewn to the said *Martin Ryerson*, and the ungenerous Behaviour of the said *Martin Ryerson*, &c. was also read; whereupon, on the Question,

Ordered,

That the said Petition do lie on the Table.

The Bill, entitled, *An Act to regulate the Practice of Physic and Surgery within the Colony of New-Jersey*, was read the second Time, and committed to Mr. *Tucker* and Mr. *Lawrence*.

The Engrossed Bill, entitled, *An Act to enable the Owners and Possessors of a Tract of Marsh and Meadow at Elfinborough, in the County of Salem, to uphold and maintain a certain Bank for draining the same*, &c. was read and compared; and on the Question,

Resolved,

That the same do pass.

Ordered,

That the Speaker sign the same.

Ordered,

That Mr. *Gibbon* and Mr. *Holme* do carry the said Bill to the Council for Concurrence.

Mr. *Taylor* reported, that Mr. *Sheppard* and himself delivered the Bills with them intrusted to the Speaker in Council.

A Message from the Council by Mr. *Read*.

Council-Chamber, Sept. 17, 1772.

Ordered,

THAT Mr. *Read* do acquaint the House of Assembly, that this House has passed the Bill, entitled, *An Act for the Support of Government*, &c. without any Amendment.

By Order of the House,

CHA. PETTIT, D. Clerk.

A Petition was presented by *John Green*, a Prisoner for Debt, praying a Law for his Relief, &c. which was read, and ordered a second Reading.

Mr. *Gibbon* reported, that Mr. *Holme* and himself delivered the Bill with them intrusted to the Speaker in Council.

The House adjourned till Three, P. M.

The House met.

A Message from the Council by Mr. *Stevens*.

Council-Chamber, Sept. 17, 1772.

Ordered,

THAT Mr. *Stevens* do acquaint the House of Assembly, that the Bill, entitled, *An Act for making Process in Courts of Equity effectual against Mortgagors who abscond*, &c. and the Bill, entitled, *An Act for*

for raising One Thousand and Fifty Pounds, &c. have passed in this House without any Amendment.

By Order of the House,

CHA. PETTIT, D. Clerk.

The Engrossed Bill, entitled, *An Act for inspecting and culling Staves, Heading, &c. and for inspecting and measuring Corn, Wheat, and other Grain, &c. exported from the Province of New-Jersey beyond Sea*, was read and compared; and on the Question, Whether the same pass, or not? It was carried as follows,

YEAS.

Mr. Csmbs,
Mr. Wetherill,
Mr. Moores,
Mr. Taylor,
Mr. Fisher,
Mr. Roy,
Mr. Demarest,

YEAS.

Mr. Ford,
Mr. Winds,
Mr. Hewlings,
Mr. Tucker,
Mr. Van Horne,
Mr. Pettit.

NAYS.

Mr. Lawrence,
Mr. Crane,
Mr. Garritse,
Mr. Paxson,
Mr. Sykes,
Mr. Price,

NAYS.

Mr. Gibbon,
Mr. Holme,
Mr. Hand,
Mr. Mehelm,
Mr. Sheppard,
Mr. Elmer.

Resolved,

That the same do pass.

Ordered,

That the Speaker sign the same.

Ordered,

That Mr. Moores and Mr. Van Horne do carry the said Bill to the Council for Concurrence.

Mr. Roy, pursuant to Leave given, brought in a Bill, entitled, *An Act more effectually to suppress Immorality*; which was read, and ordered a second Reading.

Mr. Mehelm reported, that Mr. Hewlings and himself delivered the Message of the House with them intrusted to his Excellency.

Mr. Kinsey, from the Committee appointed to prepare and bring in the Draught of a Message to his Excellency in Answer to his Message of the 15th Instant, relative to the Robbery of the Treasury, brought in a Draught accordingly, which was read,

Whereupon the House resolved itself into a Committee of the whole House on the said Message, in Answer to his Excellency's Message, and after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. Fisher, Chairman of the Committee, reported, that the Committee had gone through the said Message in Answer to his Excellency's Message, and had made several Amendments thereto, which he was ready to report whenever the House would please to receive the same,

Ordered,

That the Report be made immediately:

Whereupon Mr. Fisher reported the said Message with the Amendments, which, with the Amendments in their Places, were read; and on the Question, Whether the same be engrossed or not? It was carried as follows,

YEAS.

YEAS.	YEAS.	YEAS.	NAYS.	NAYS.
Mr. Combs,	Mr. Kinsey,	Mr. Tucker,	Mr. Crane,	Mr. Ford,
Mr. Wetherill,	Mr. Paxson,	Mr. Mehelm,	Mr. Garritse,	Mr. Winds,
Mr. Moores,	Mr. Sykes,	Mr. Sheppard,	Mr. Fisher,	Mr. Hewlings,
Mr. Taylor,	Mr. Price,	Mr. Elmer,	Mr. Roy,	Mr. Gibbon,
Mr. Lawrence,	Mr. Holme,	Mr. Van Horne.	Mr. Demarest,	Mr. Pettit.
Mr. Dey,	Mr. Hand,			

Ordered,

That the same be engrossed.

Mr. Moores reported, that Mr. Van Horne and himself delivered the Bill with them intrusted to the Speaker in Council.

Mr. Sykes had Leave of Absence on a particular Occasion.

The House adjourned till To-morrow Morning Nine o'Clock.

Friday, September 18, 1772.

The House met.

A Petition of sundry Inhabitants of *Hanover*, in the County of *Morris*, was presented, praying a Law for an Emission of Paper Money on Loan, &c. which was read,

Ordered,

That the same be referred to the next Session.

Mr. Tucker, from the Committee to whom was committed the Bill sent down by the Council, entitled, *An Act to regulate the Practice of Physick and Surgery within the Colony of New-Jersey*, reported the same with several Amendments; which was read, with the Amendments in their Places, and several Amendments being made thereto in the House; on the Question, Whether the said Bill as amended do pass? It was carried as follows.

YEAS.	YEAS.	NAYS.	NAYS.
Mr. Moores,	Mr. Kinsey,	Mr. Combs,	Mr. Paxson,
Mr. Crane,	Mr. Hewlings,	Mr. Wetherill,	Mr. Gibbon,
Mr. Lawrence,	Mr. Price,	Mr. Taylor,	Mr. Holme,
Mr. Fisher,	Mr. Tucker,	Mr. Garritse,	Mr. Hand,
Mr. Dey,	Mr. Mehelm,	Mr. Roy,	Mr. Sheppard,
Mr. Ford,	Mr. Elmer,	Mr. Demarest,	Mr. Van Horne.
Mr. Winds,	Mr. Pettit.		

Resolved,

That the same do pass with the Amendments thereto.

Ordered,

That the Speaker sign the same.

Ordered,

That Mr. Kinsey and Mr. Mehelm do carry back the said Bill to the Council, with the Amendments made thereto in this House, and desire their Concurrence with the said Amendments.

The Engrossed Message to his Excellency, in Answer to his Message of the 15th Instant, relative to the Treasury, was read and compared, and is as follows,

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Ordered,

Ordered,

THAT Mr. *Moore* and Mr. *Sheppard* do wait on his Excellency, and inform him, that when the Assembly sent the Message of the 12th Instant to his Excellency, relative to the Robbery of the Eastern Treasury, they thought themselves in the Execution of their Duty to their Constituents, and did not imagine any Part of that Message insinuated a Charge that could give the least Offence, much less could have occasioned an Answer which carries the Supposition that they were either uncandid or ungenerous. A mutual Confidence between the several Branches of the Legislature it was never the Inclination of the House to interrupt; and they flatter themselves, that when it is coolly considered it will be found to contain nothing that hath a Tendency to infringe that Harmony which, at the Beginning of almost every Session, he hath recommended to the Representatives of the People. Whether his Excellency's Answer evinces an Inclination to promote this good Purpose they must leave others to judge. Was this House disposed to Warmth, the necessary Business of the Province might be delayed; but that the House inclines to shew that they prefer the Publick Good to every other Consideration.

That with respect to some Matters his Excellency is pleased to call upon the House to express themselves with Plainness—that they intend not only to be so, but to give their Sentiments with that Decency which is due to the Person of his Majesty's Governor—and that the House only wishes that the legislative Body of the People of this Colony may receive hereafter the same Treatment.

That none of the House have been used to Controversy, that they heartily wish to avoid it, and if any Expression should occur that carries with it an Implication which may give Offence, they beg the Favour of his Excellency rather to believe that none was intended, than to look for what was never the Design of the House.

The present Assembly, knowing that most of their Constituents were not pleased that no Measures were used to bring the Treasurer to account for the Monies said to be stolen out of the Eastern Treasury, and being really desirous that something should be done to effect that End, mentioned with Conciseness the Robbery, and the Resolution of the late House on a full, fair and impartial Inquiry into the Situation and Manner the Treasury was kept, with all the Evidences and Circumstances that could be procured to give Light into that Matter, as the Ground of their Request, they did not then see, nor can they now think that every Step previous to that Resolution was necessary to be mentioned to found that Request on; and however that or this House may be satisfied with either his Excellency's early Care to recover what was lost, or to prevent the like Disaster in future, this House doth not conceive the Enumeration of those Particulars pertinent to that Application. It is true, they shew the Coolness and Deliberation with which the Matter was considered, the Inclination of the late House to exculpate the Treasurer, until that House was fully convinced of his Remissness; and their Impartiality is evident in their Publication to the World of the Affidavits on which, in Part, they came to a Determination.

That

That whether his Excellency's Care in taking of the Bonds from both of the Treasurers, for the due Performance of their Duty, can answer any good Purpose, the House doth really doubt. As they are instituted *de Novo*, unknown to and not authorized by Law, they think there is Reason to dispute their Validity, and submit to his Excellency whether it is not proper a Law should be passed to authorize the taking of them? That the House wishes his Excellency had bestowed the same Attention to call the Treasurer to account for what was past, as to prevent any future Damage to the Province. That they cannot help thinking it to have been the most material; that if it had been attended to properly, the Occasion of the Message of the 12th Instant would have been prevented; and that the House cannot help observing, that all his Excellency's Orders preceding the present Answer to the Message of the 12th Instant, to take Care that the Province should not suffer, are calculated for the Time to come, or to discover the Person that had actually perpetrated the Fact, and not a Word mentioned of his Inclination to assist in calling the Treasurer to an Account that the House remembers to have seen.

That his Excellency being pleased to ask the House some Questions they beg Leave, in the next Place, to answer; and hope that this Answer will be as plain as his Excellency seems to desire. That they do not think it would have been just in his Excellency to remove the Treasurer from his Office until he had an Opportunity of being heard, and until the Matter had been fully inquired into; but that they do think that after the House had shew'd so much Care, Impartiality, and Tenderness, as appears from their Minutes (which they suppose are, or ought to be, daily laid before him) and had come to a Resolution, that the Money was lost through *his Negligence*, that he was not a proper Person to be continued in Office. That the Sentiments of the late House might be known as fully without a Request to remove him as with one. And tho' the House doth think that such Request would have been proper, yet they cannot conceive it to be the Business of the Assembly, though they wish they had made it so, on every Occasion to point out when an Officer should be removed.

That the House doth acknowledge, that in their Message they have not desired his Excellency to remove the Treasurer; nay, that they have already gone inadvertently into voting the present Treasurer by Name a Salary for the ensuing Year; but, lest his Excellency may draw the same Inference from this Vote, as he did from that of the late House, they beg Leave to inform him, that it is not their Desire he should be continued in Office longer.

How his Excellency received the Information of what passed in a Committee of the whole House they cannot say. They do not conceive it to be quite parliamentary to receive any Information but from the Votes or Messages of the House. The vague Reports of People out of Doors are often untrue; and the Danger of admitting such Reports will appear, when they assure him, that tho' in the Committee it was voted, not to put in a Request that the Treasurer should be removed, it was not rejected *as unjust*, but because at that Time they did not think

it absolutely necessary to be mentioned, and through Tenderneſs that they find likely to turn to the Diſadvantage of the Province.

That they have ſeriously conſidered the Meſſage of the 12th Inſtant. It is true, they mention, that notwithstanding the Reſolution of *October 1770*, *he is ſtill continued in Office*, and *Nothing* hath been done to recover that Deficiency. They do not ſay this by Way of Complaint, but think them to be given as the *Reaſons of their Application*. And that when they conſider that upwards of £. 6,000 is in Danger of being loſt for Want of proper Means to recover it, and that none hath been uſed for above four Years paſt for that Purpoſe, they look on them to be cogent Reaſons to enforce ſome ſpeedy Meaſures. That they cannot help ſaying, that they think a proper Attention hath not been paid to this important Matter; but at whoſe Door to lay this Fault the Houſe have not preſumed to conclude. And that they think the removing a Man from his Office, ſo as to hinder his Negligence from doing any Prejudice in Future to the Province, is better than taking any Bonds, and would they believe have been very agreeable to the Colony in general.

What Authority the Aſſemblies have claimed or exerciſed, with Reſpect to the Treasuſers Accounts, they do not know, nor do they think it very material; but this they can ſay with Certainty, that the depriving him of his Office was in his Excellency's Power; and that they think that Reſolution was a ſufficient Ground to do ſo.

That his Excellency being pleaſed alſo to tell the Houſe, that he hath no other Controul over the Treasuſers than to remove them when it hath been ſatisfactorily proved that they have acted inconfiſtent with their Duty; and that the Houſe muſt be convinced that Officers of Government *are not leſs amenable to the Laws than other Perſons*. If ſo, they hope the Reſolution of the late Houſe will be that ſatisfactory Proof. If it is not, they beg Leave to refer to the Proofs ſo publiſhed. What his Excellency means by "*amenable to the Laws*" the Houſe cannot ſay, for, near the Cloſe of his Anſwer, he mentions it to be a Matter worthy of mature Conſideration, *Whether this Negligence laid to his Charge can be tried here*. That they alſo beg Leave to ſay, they do not entertain a Doubt but that it may be properly tried in the Colony; and that they are ſorry to find the leaſt Countenance given to a Suppoſition, that an Officer who miſbehaves cannot be tried in it; and that, to get Juſtice, this Colony muſt be reduced to the Neceſſity of applying for it elſewhere.

That they have alſo deliberately conſidered this Matter, and the bad Conſequences that muſt enſue from its being any longer neglected, and the Danger of an Example of this Nature to the Province in general, and think it their Duty humbly to requeſt of his Excellency, that he would be pleaſed to remove the Treasuſer from his Office, and that he would be pleaſed to put ſome other Perſon therein.

That his Excellency will be pleaſed to join in a Law to authorize the Treasuſer ſo to be put into Office, to commence a Suit againſt the now Treasuſer for the Deficiency. And that the Houſe doth give as the Reaſons of this their Requeſt, that, on a full Inquiry into this Matter,
he

he hath been found to be negligent in his Office by the late House, and that this Negligence hath been detrimental to the Province. That they think, if such Removal takes Place, a Suit may be easily prosecuted against him for such Deficiency, and that without it, Difficulties may occur, through the Means of which, if any Thing should happen to defeat the good Intentions of the present House, in calling him to an Account for that Deficiency, they hope at least it will not be laid to their Charge.

Or, that if his Excellency should disapprove of this Measure, he would be pleased to point out some more eligible Methods to obtain this desirable End.

On the Whole—They think this a Matter of most serious Importance to the Province in general, and that it ought to be speedily settled by Measures the most effectual for that Purpose; and they rely on his Excellency's Assurance, that whenever *such Measures are pointed out that will* answer the Purpose, that he will give his Assistance therein.

HOUSE of ASSEMBLY }
Sept. 18, 1772.

By Order of the House,
JONA. DEARE, Clerk.

Mr. Kinsey reported, that Mr. Mehelm and himself delivered the Bill with them intrusted to the Speaker in Council.

The Engrossed Bill, entitled, *An Act for regulating Roads and Bridges*, was read and compared; and, on the Question, Whether the same pass or not? It was carried as follows,

Y E A S.

Mr. Moores,
Mr. Lawrence,
Mr. Crane,
Mr. Fisher,
Mr. Roy,
Mr. Dey,
Mr. Ford,
Mr. Winds,

Y E A S.

Mr. Kinsey,
Mr. Paxson,
Mr. Price,
Mr. Gibbon,
Mr. Tucker,
Mr. Mehelm,
Mr. Elmer,
Mr. Van Horne,
Mr. Pettit.

N A Y S.

Mr. Combs,
Mr. Wetherill,
Mr. Taylor,
Mr. Garritse,
Mr. Demarest,
Mr. Holme,
Mr. Hand,
Mr. Sheppard.

Resolved,

That the same do pass.

Ordered,

That the Speaker sign the same.

Ordered,

That Mr. Fisher and Mr. Crane do carry the said Bill to the Council for Concurrence.

Mr. Moores reported, that Mr. Sheppard and himself delivered the Message with them intrusted to his Excellency, who was pleased to say he would take the same into Consideration.

The House adjourned till Three, P. M.

The House met.

Mr. Dey, from the Committee to whom was committed the Bill, entitled, *An Act for establishing the Boundary or Partition Line between the Colonies of New-York and New-Jersey*, reported the same; which was read,

U

Whereupon

Whereupon the House resolved itself into a Committee of the whole House on the said Bill, and after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported, that the Committee had made some Progress in the Matters to them referred, and desired Leave to sit again. To which the House agreed.

James Hude, Esq. laid before this House a Number of Bills, dated March 1737, found by him among the Papers of his Uncle *Robert Hude*, deceased.

Ordered,

That Mr. *Fisher*, Mr. *Wetherill*, Mr. *Paxson*, and Mr. *Price*, be a Committee to join a Committee of the Council to inspect and count the same, and inquire into the Circumstances thereof, and the Uses for which they were printed; and, if they find Cause in Conjunction with a Committee of the Council, to burn the same, and report their Proceedings to the House.

Ordered,

That Mr. *Sheppard* and Mr. *Van Horne* do inform the Council thereof, and desire them to appoint a Committee for that Purpose, and to desire that they will appoint the Time and Place of Meeting.

A Message from His Excellency by Mr. D. Secretary *Pettit*.

Gentlemen,

HAVING thought it necessary to consult His Majesty's Council on the two Requests contained in your Message of this Day respecting the Eastern Treasury, they have advised me to recommend it to you to appoint a Committee of your House to meet a Committee of the Council in a free Conference on the Subject, *so far as relates to the Mode of prosecuting the Suit requested in your Message*; and, as I approve of the Proposal of the Council, I accordingly recommend it to you to appoint a Committee for the said Purpose.

September 18, 1772.

W^m. FRANKLIN.

Which was read, and thereupon,

Ordered,

That Mr. *Fisher*, Mr. *Wetherill*, Mr. *Crane*, Mr. *Kinsey*, Mr. *Price*, Mr. *Tucker*, and Mr. *Mehelm*, be a Committee to meet a Committee of the Council on the Subject Matter of his Excellency's Message:

Ordered,

That Mr. *Roy* and Mr. *Garritse* do wait upon the Council, and desire that they will appoint a Committee of the Council to meet the Committee of this House in a free Conference on the Subject of his Excellency's Message, and that they will please to appoint the Time and Place of Meeting.

The House adjourned till To-morrow Morning Nine o'Clock.

Saturday, September 19, 1772.

The House met.

Mr.

Mr. *Sheppard* reported, that Mr. *Van Horne* and himself delivered the Message with them intrusted to the Speaker of the Council, the Council not sitting.

Mr. *Roy* reported, that Mr. *Garritse* and himself delivered the Message with them intrusted to the Speaker of the Council, the Council not sitting.

The Bill, entitled, *An Act more effectually to suppress Immorality*; was read the second Time,

Ordered,

That the same be committed to Mr. *Elmer* and Mr. *Sheppard*.

Mr. *Mebelm*, from the Committee for that Purpose, brought in a Bill, entitled, *An Act for defraying Incidental Charges*; which was read, and ordered a second Reading.

The House, according to Order, resolved itself into a Committee of the whole House on the Bill, entitled, *An Act for establishing the Boundary or Partition Line between the Colonies of New-York, and New-Jersey, &c.* and after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported, that the Committee had gone through the said Bill, and had made one Amendment thereto, which he was ready to report whenever the House will please to receive the same,

Ordered,

That the Report be made immediately,

Whereupon Mr. *Fisher* reported the said Bill and Amendment made thereto by the Committee, which Bill being read as amended by the Committee, on the Question,

Ordered,

That the said Bill as amended be engrossed.

A Message from the Council by Mr. *Stevens*.

Council-Chamber, Sept. 19, 1772.

Ordered,

THAT Mr. *Stevens* do acquaint the House of Assembly, that their Message of Yesterday having been taken into Consideration by this House, it is ordered, that Mr. *Read* and Mr. *Stevens* be a Committee to join a Committee of the House of Assembly to inspect and count certain Bills of Credit laid before the House of Assembly by *James Hude*, *Esq.* to inquire into the Circumstances respecting, and the Uses for which the said Bills were printed, and to burn the same if the said Committees shall think it proper, and make report of their Proceedings therein to this House.

Ordered also,

That the said Committees do meet at the House of Mrs. *Tharp*, at Three o'Clock this Afternoon.

By Order of the House,

CHA. PETTIT, *D. Clerk.*

A Message from the Council by Mr. Stevens.

Council-Chamber, Sept. 19, 1772.

Ordered,

THAT Mr. Stevens do acquaint the House of Assembly, that their Message of Yesterday having been taken into Consideration by this House, it is ordered, that the Earl of Stirling, Mr. Read, Mr. Stevens, and Mr. Coxe, or any three of them, be a Committee to meet a Committee of the House of Assembly in a free Conference on the Subject of his Excellency's Message of Yesterday, relative to the Robbery of the Eastern Treasury; and that the said Committees do meet at the House of William Wright, in Perth-Amboy, on Tuesday next, at Eleven o'Clock A. M.

By Order of the House,

CHA. PETTIT, D. Clerk.

The House adjourned till Three, P. M.

The House met, and adjourned till Monday Morning Nine o'Clock.

Monday, September 21, 1772.

The House met,

And there not being a sufficient Number of Members to proceed on Business,

The House adjourned till Three, P. M.

The House met.

Mr. Elmer, from the Committee to whom was committed the Bill, entitled, *An Act more effectually to suppress Immorality*; reported the same with several Amendments, and the said Bill and Amendments were read; on the Question,

Ordered,

That the same be referred to the next Session.

A Petition was presented by Samuel Throckmorton, a Prisoner for Debt in the Gaol of Middlesex County, praying a Law for his Relief, &c. which was read, and ordered a second Reading.

Mr. Gibbon with Leave brought in a Bill, entitled, *A Supplementary Act to an Act, entitled, An Act for the Speedy recovering of Debts from Six Pounds to Ten Pounds, in the Inferior Courts of Common Pleas of this Colony, for small Fees*; which was read, and ordered a second Reading.

The House adjourned till To-morrow Morning Nine o'Clock.

Tuesday, September 22, 1772.

The House met.

The Petition of John Green, a Prisoner for Debt in the Gaol of Middlesex,

Middlesex, praying a Law for his Relief, &c. was read the second Time ; on the Question,

Ordered,

That the said Petition lie on the Table.

The Petition of *Samuel Throckmorton*, a Prisoner for Debt in the Gaol of *Middlesex*, praying a Law for his Relief, &c. was read the second Time ; on the Question,

Ordered,

That the said Petition lie on the Table.

The Bill, entitled, *A Supplementary Act to an Act, entitled, An Act for the speedy recovering of Debts from Six Pounds to Ten Pounds, &c.* was read the second Time ; on the Question,

Ordered,

That the same be engrossed.

The House adjourned till Three, P. M.

The House met.

The Engrossed Bill, entitled, *A Supplementary Act to an Act, entitled, An Act for the speedy recovering of Debts from Six Pounds to Ten Pounds, &c.* was read and compared ; on the Question,

Resolved,

That the same do pass.

Ordered,

That the Speaker sign the same.

Ordered,

That Mr. *Hewlings* and Mr. *Van Horne* do carry the said Bill to the Council for Concurrence.

A Message from the Council by Mr. *Parker*.

Council-Chamber, Sept. 22, 1772.

Ordered,

THAT Mr. *Parker* do acquaint the House of Assembly, that Mr. *Read*, one of the Committee appointed on *Saturday* last to meet a Committee of the House of Assembly in a free Conference on the Subject of his Excellency's Message, being indisposed, and not able to attend on the said Committee, it is ordered that Mr. *Stockton* be one of the said Committee in the Room of Mr. *Read*.

By Order of the House,

CHA. PETTIT, D. Clerk.

The House adjourned till To-morrow Morning Nine o'Clock.

Wednesday, September 23, 1772.

The House met.

Mr. *Wetherill*, from the Committee appointed to meet a Committee of the Council to inspect the Bills of Credit laid before the House by *James Hude*, Esq. found among the Papers of his Uncle *Robert Hude*, deceased, made the following Report,

We the Committees of the Council and Assembly, appointed to inspect the Bills of Credit laid before the House of Assembly by Mr. *James Hude*, proceeded to examine the said Bills, and find them all dated *March 25, 1737*, Part of them being signed by *Isaac De Cow* and *John Allen*, and the Remainder by them and *Robert Hude*.

That upon inspecting the last £. 40,000 Act, they do find there was ordered to be printed £. 10,000 for exchanging ragged and torn Bills, and by the 32d Section thereof, one Half thereof was to be lodged in the Hands of one of the Signers in the Eastern Division, (not being Treasurer) by him to be signed occasionally, of which the Committees have good Reason to believe the aforefaid Bills are Part, and therefore have burned them according to Law, their Amount being as follows,

768 Bills — of 1s.	—	—	£. 38 : 8 : 0
814 do. — 1s.6d.	—	—	61 : 1 : 0
440 do. — 3s.	—	—	66 : 0 : 0
384 do. — 6s.	—	—	115 : 4 : 0
144 do. — 12s.	—	—	86 : 8 : 0
88 do. — 15s.	—	—	66 : 0 : 0
62 do. — 30s.	—	—	93 : 0 : 0
24 do. — 60s.	—	—	72 : 0 : 0
			£. 598 : 1 : 0

Perth-Amboy, Sept. 22, 1772.

By Order of the Committees,

JOHN STEVENS,
JOHN WETHERILL.

Frederick Van Ripa and *Frederick Cadmus* attending the House on a Petition formerly presented upon their being left out of the Act of Assembly of *New-York*, and the Agent on the Part of the general Proprietors being also called in and heard, and the Bill, entitled, *An Act for establishing the Boundary or Partition Line between the Colonies of New-York, and Nova-Cæsarea or New-Jersey, &c.* being read; on the Question, Whether the said Bill do pass? It was carried as follows,

Y E A S.	Y E A S.	N A Y S.	N A Y S.
Mr. <i>Wetherill</i> ,	Mr. <i>Price</i> ,	Mr. <i>Combs</i> ,	Mr. <i>Kinsey</i> ,
Mr. <i>Lawrence</i> ,	Mr. <i>Tucker</i> ,	Mr. <i>Moore</i> ,	Mr. <i>Hewlings</i> ,
Mr. <i>Fisher</i> ,	Mr. <i>Mehelm</i> ,	Mr. <i>Taylor</i> ,	Mr. <i>Gibbon</i> ,
Mr. <i>Demarest</i> ,	Mr. <i>Elmer</i> ,	Mr. <i>Crane</i> ,	Mr. <i>Holme</i> ,
Mr. <i>Ford</i> ,	Mr. <i>Van Horne</i> ,	Mr. <i>Garritse</i> ,	Mr. <i>Hand</i> ,
Mr. <i>Winds</i> ,	Mr. <i>Pettit</i> .	Mr. <i>Roy</i> ,	Mr. <i>Sheppard</i> .
Mr. <i>Paxson</i> ,		Mr. <i>Dey</i> ,	

The Votes being equal, Mr. Speaker gave his Voice in the Affirmative.

Resolved,

That the same do pass.

Ordered,

That the Speaker sign the same.

Ordered,

Ordered,

That Mr. *Fisher* and Mr. *Paxson* do carry the said Bill to the Council for Concurrence.

Mr. *Hewlings* reported, that Mr. *Van Horne* and himself delivered the Bill with them intrusted to the Speaker in Council.

Mr. *Fisher* reported, that Mr. *Paxson* and himself delivered the Bill with them intrusted to the Speaker in Council.

The House adjourned till Three, P. M.

The House met.

The Bill, entitled, *An Act for defraying Incidental Charges*, was read the second Time; on the Question,

Ordered,

That the same be engrossed.

Ordered,

That Mr. Speaker, Mr. *Fisher*, Mr. *Wetherill*, Mr. *Crane*, Mr. *Kinsley*, Mr. *Hewlings*, Mr. *Price*, and Mr. *Tucker*, be a Committee to correspond with the Agent of this Colony, and that not less than a Majority of the said Committee do sign any Letter written by them.

The House adjourned for an Hour.

The House met.

A Message from the Council by Mr. *Stockton*.

Council-Chamber, Sept. 23, 1772.

Ordered,

THAT Mr. *Stockton* do acquaint the House of Assembly, that this House has passed the Bill, entitled, *An Act to enable the Owners and Possessors of a Tract of Marsh and Meadow at Elfinborough, &c.* without any Amendment.

By Order of the House,

CHA. PETTIT, D. Clerk.

Mr. *Fisher*, from the Committee appointed for that Purpose, reported as follows,

We, the Committee appointed by the House of Assembly to confer with the Honourable Committee of the Council on the Matter recommended in the Governor's Message of the 18th Instant, beg Leave to report, That your Committee met the aforesaid Committee of the Council on the 22d Instant, when the Committee of the Council proposed,

That an Information would answer the Purpose of calling the Treasurer to account for the Deficiency of Publick Money said to be stolen out of the Treasury.

That your Committee entered into some Conversation on the Subject Matter of the Proposal, and being of Opinion, that in all Probability Difficulties would ensue in such Mode of Prosecution, and that at best the Method was not so eligible as the one determined on in the House,

and

and expressed in their Message to the Governor on this Subject, could not then come to any final Conclusion thereon—but beg Leave to fit again if necessary.

A Message from His Excellency by Mr. D. Secretary *Pettit*, in the Words following,

A MESSAGE to the ASSEMBLY.

Gentlemen,

IT is seldom that I meet with any Thing which gives me more real Uneasiness, than when I find myself obliged to signify my Disapprobation of either the Sentiments or Conduct of the House of Representatives. I have ever carefully avoided it except where his Majesty's Service, the publick Good, or my own Character made it indispensably necessary. The Assemblies of this Province have always found me ready to oblige them in every Request which was consistent with my Duty, and I am very sure that it is my Intention that they shall never find me otherwise. The Language of their Addresses and Messages has often been respectful and obliging, and the Matter unexceptionable. In every Instance of that kind, their Minutes will shew that my Answers have not been deficient either in a proper Return to their Complaisance, or in a due Regard to their Sentiments.

It was not so much, Gentlemen, the Manner, as Part of the Matter of your Message of the 12th Instant, respecting the Robbery of the Eastern Treasury, which gave me Umbrage. Your Request that I would afford you my Assistance in bringing that unhappy Affair to a just and final Decision, was just and reasonable, and expressed with becoming Decency. Had you, however, for this Purpose, thought proper to send me a Message setting forth only the Uneasiness of your Constituents that a Matter of such Consequence, as whether the Treasurer was or was not to make good the Deficiency, had remained so long undetermined, and desiring my Aid on the Occasion, my Answer could not but have been entirely to your Satisfaction. It is a Point to which I never had, nor ever shall have, the least Objection. But, Gentlemen, what I look'd upon as extremely unkind and unfair, was, that when you undertook to give a Detail of some of the Transactions relative to this Affair, previous to your Application, you should omit every Circumstance which any ways tended to set my Conduct, or the Conduct of the Treasurer, in a favourable Light. You took not the least Notice of any Occurrence but the Oath of the Treasurer respecting the Robbery, and the Resolution of the Assembly in 1770, expressing their Opinion that it happened for Want of that Security and Care that was necessary to keep it in Safety. This might, indeed, have been suffered to pass unnoticed, had you only grounded your Request on it, but you likewise made it the Foundation of what I take, and think I have fully proved to be an unjust Reflection on me. Your Words are, “ That *notwithstanding* this Resolution (meaning the Resolution in 1770) tho' the House is convinced the Treasurer doth not apprehend himself accountable for that Sum to the Publick as in the Treasury, *he is still continued in Office*, the Publick Money still depends on his Care, and nothing has been done to recover the
“ *aforesaid*

“aforesaid Deficiency.” In reply to my Observations on this Part of your Message, you tell me that “you did not imagine any Part of that Message insinuated a Charge that could give the least Offence,—that you flatter yourselves when it is coolly considered it will be found to contain nothing that hath a Tendency to infringe that Harmony which at the Beginning of almost every Session I have recommended to the Representatives of the People;”—and you afterwards tell me, that what you mentioned concerning the Treasurer’s being *still continued in Office*, and *Nothing* being done to recover the Deficiency, was not said “by Way of Complaint, but you think them given as the *Reasons of your Application*.” Is it possible, Gentlemen, that you have *seriously considered* your Message, as you tell me, and can yet be of Opinion that the Words alluded to contain no Complaint, nor insinuate any Charge that could give the least Offence, or have any *Tendency* to infringe the Harmony which ought to subsist between us? Certainly, if it is *wrong* that he should be continued in Office after such a Resolution, I am the Person who must necessarily be supposed most to blame on that Account, as his Continuance in Office so much depends on my Determination. The “Uneasiness of the People,” and “your Desire to exculpate yourselves,” were what you urged in your Message as the *Reasons of your Application*. The Part to which I refer must either mean a Complaint and imply a Charge against me, or it means nothing. To argue to the contrary can only evince a Want of Candour, or a Want of Knowledge.

But, Gentlemen, if I could possibly have been led to think that you did not intend by your Message of the 12th Instant, to insinuate a Charge against me, you have, by your last Message, put the Matter beyond Dispute. You there tell me expressly “you do think that after the House had come to a Resolution that the Money was lost through the *Treasurer’s Negligence*, that he was not a proper Person to be continued in Office, and that, as the Minutes were daily laid before me, the Sentiments of the late House might be known as fully without a Request to remove him as with one.” In another Place you likewise observe “that you cannot help saying that you think a *proper Attention* has *not* been paid to this important Matter, but at whose Door to lay this Fault the House have not presumed to conclude, and that they think *removing a Man from his Office*, so as to hinder his Negligence from doing any Prejudice in future to the Province, is *better* than taking *any Bonds*.” After thus intimating that I ought upon merely seeing the Resolutions of the House, and without any Request, to have removed the Treasurer, and that removing a Man from his Office is *better* than taking Bonds, your Pretence that you have not *insinuated any Thing against my Conduct*, or *presumed to conclude at whose Door to lay this Fault*, must appear with a remarkable good Grace indeed! and of course requires no particular Illustration.

The Doctrine, however, which it inculcates is deserving of more Attention. It seems to me (as you say on another Occasion) to be “instituted *de Novo*, unknown to and not authorized by Law,” and that there is not a little “Reason to dispute the Validity” of

it. If a Governor is to remove an Officer of Government merely on his happening to see a Resolution on the Minutes of Assembly, that it is *their Opinion* he has been negligent in his Duty, and without any Address from them for that Purpose, or their so much as intimating to him that they thought his Negligence had been such as to deserve so great a Punishment, I wonder where the Governor would be able to get a Person of any Spirit or Character who would supply the Place of such Officer. For my Part, I should most heartily despise the Man who would accept an Office subject to so disgraceful a Tenure. I much question whether all the Variety of our History will afford a single Instance where a King of Great-Britain, or a Governor in America, removed an Officer on such an Opinion of a Parliament or Assembly, no otherways signified, or where any Parliament or Assembly ever expected it, or thought it reasonable.

Should this *de novo* Doctrine of yours once become established, and a mere Opinion, as you contend, should be taken as a *satisfactory Proof*, it would be in the Power of an Assembly to turn out any Officer in the Government. In this Colony, where you pay the public Officers but little Salaries, you may possibly think you have a Right to treat them with as little Ceremony. His Majesty, however, consulting the true Interest of his Colonies, as well as the Honour of his Officers, has, in order to prevent arbitrary Removals, given this Instruction to his Governors, viz. "You shall not *displace* any of the Judges, Justices, " Sheriffs, or *other Officers* or Ministers in our said Province, *without* " *good and sufficient Cause*, to be signified unto Us, and to our Commis- " sioners for Trade and Plantations." This Instruction is wisely calculated to guard against that arbitrary despotic Temper which sometimes actuates Governors, as well as that levelling democratic Disposition which too often prevails in popular Assemblies. It would be a curious Reason to send to his Majesty and the Board of Trade for the Removal of an Officer, that the Governor, on looking over the Minutes of Assembly, discovered that it was *their Opinion* the Officer had been *negligent* in his Duty, but which Opinion had never been signified in any Way to the Governor; on the contrary, so far was he from having any Reason to imagine that they thought the Offence deserved a Removal, the same Minutes shew'd that within two Days after they gave that Opinion, they voted him the usual Salary for the Year ensuing. Do you believe that this would be deem'd a *good and sufficient Cause* by his Majesty? Would you, Gentlemen, if you should only see on the Council Minutes, that it was the *Opinion* of the Governor and Council that the Speaker, or any other Officer of whom you have a Share in the Appointment, or any of your Members, had acted improperly in their Stations, think such an Opinion a good and sufficient Cause for the Removal of your Officer, or the Expulsion of your Members? Most certainly you would not; you would think the Governor and Council void of common Sense should they afterwards so much as intimate that you ought to pay any Regard to it.

You acknowledge, indeed, "that a Request to remove the Treasurer " would have been proper, yet you cannot conceive it to be the Busi-
ness

“ness of the Assembly, on every Occasion, to point out when an Officer “should be removed.” I never told you, Gentlemen, that it was your Business on *every Occasion* to point out when an Officer should be removed, therefore cannot imagine for what Purpose this is mentioned. But when such a Request is proper, it is certainly the Business of the Assembly to make it, and if they do not, they have no Business to complain at his Continuance in Office.—But I am to understand, it seems, that this Request would have been made before but “through *Tenderness*” to the Treasurer. If that is the Case, pray was it not as proper and necessary that I should shew him *Tenderness* as that the House of Representatives should? If the Assembly who, as you say, made “a full, fair and “impartial Inquiry into the Situation and Manner the Treasury was “kept, with all the Evidences and Circumstances that could be procured “to give light into that Matter,” thought him notwithstanding so much intitled to their *Tenderness*, that they not only would not request his Removal, but continued to vote him by Name the usual Salary from Year to Year, surely it would have had a very unjust and partial Appearance in a Governor who had only seen “the Affidavits on “which, *in Part* (as you say) they came to a Determination,” had he shown a less Degree of *Tenderness*.— But give me Leave to ask, What new Circumstance has arisen, or what Event has occurred, since you shew’d him the same *Tenderness*, and voted him the same Salary as the last Assembly did, that should make a Continuance of it less proper now than it was before?

Having, I think, sufficiently cleared myself from your Insinuations and Charges respecting my not having before removed the Treasurer, and fully shewn that the Resolution of the Assembly was not, as you alledge, “a sufficient Ground to do so,” I shall next proceed to consider your other Charge, namely, my not having called the Treasurer to account for the Deficiency occasioned by the Robbery of the Treasury. On this Head you tell me, “That the House wishes I had bestowed the “same Attention to call the Treasurer to account for what was past, as “to prevent any future Damage to the Province,—that they cannot “help thinking it the most material,—that if it had been attended to “properly the Occasion of the Message of the 12th Instant would have “been prevented,—and that they *cannot help observing* that all my “*Offers* preceding my Answer to that Message, to take care that the “Province should not suffer, are calculated for the Time to come, or to “discover the Person that actually perpetrated the Fact, and not “a Word mentioned of *my Inclination to assist* in calling the Treasurer “to an Account that the House remembers to have seen.” These are your Words which I have chosen to quote here, as I have done in other Places, at large, that I may not be charged with any Misrepresentation of them, tho’ my Message, by that Means, is made so much the longer. My Offer was “to concur in *any Expedient* which could have a *Tendency* to secure the Province from the like Disaster in future.” If, as the Assembly has declared, the Robbery was occasioned by the Negligence of the Treasurer, then certainly the Removal of him from his Office, or the calling him to Account, might well be considered (by the Example

ple it would hold out to all succeeding Treasurers) as having a *Tendency* at least to contribute to secure the Province from the like Disaster in future. Should not the Assembly then have taken Advantage of my very general Offer of Concurrence, and suggested one or both of those as the necessary *Expedients*? Is it not probable that they would have done so, had they thought either of them reasonable? And is not then your Observation, that there is “not a Word mentioned of my “Inclination to assist in calling the Treasurer to account” a most unfair Construction of my Offer? By restraining the Sense of it within such narrow Limits, you surely did not mean to manifest that you had no Disposition “to infringe that Harmony which at the Beginning of the Session” you promised to promote.

Your Message of the 12th Instant was the first Application I ever received for such Assistance; and tho’ the evident Intention of that Message, as well as the one I have now under Consideration, is to exculpate the Assembly from any Remissness, and to throw the whole Blame on me, yet I immediately assur’d you of my Readiness to give all the Assistance in my Power. For me to have taken up the Matter without any Application for that Purpose, when I saw by the Minutes that in the annual Settlement of the Accounts with the Treasurer he was always charged with that Deficiency, as if it was so much Money in the Treasury, and that there no where appeared any Refusal of his to be accountable for that Sum, nor even any formal Demand of it ever made by the Assembly; I say, such being the real Circumstances of the Case, it would have been extremely improper for me to have acted otherwise than I have done; more especially as in my Judicial Capacity I may possibly have the Determination of the Legality of such Demand.

As to your Doubts “whether my Care in taking of the Bonds from “both of the Treasurers, for the due Performance of their Duty can “answer any good Purpose,” they are best answered by another Doubt, which is, Whether there is a Lawyer in the Province who has any Knowledge in his Profession, and any Regard for his Character, who would give it under his Hand that such Bonds are not valid? A more formal Opinion on the Point cannot be expected from me, as it may happen to come before me in a judicial Way. I never had any Objection to passing a Law to authorize or require the Taking of such Bonds, but as the Council and Assembly could not agree on a Bill prescribing the Mode of taking the Security, and as I thought some Security ought to be taken, I mentioned my Sentiments to the Treasurers, who both of them immediately, *of their own Accord*, entered into Bonds with sufficient Sureties to the same Amount, and on the like Conditions, as mentioned in the Bill passed by the Assembly; which Bonds I ordered to be deposited among the Records in the Secretary’s Office, and acquainted the House by Message with what I had done; who I believe were pleased with it, at least I had never any Reason to think the contrary. But should the Validity of them be hereafter disputed, nay should they even be adjudged void (which in all Probability can never be the Case in any Court of Equity, whatever might
happen

happen to be the Determination in a Court of Law) yet surely my Care on the Occasion rather deserved the Thanks of your House than otherwise.

You do not, you say, "conceive it to be quite Parliamentary to "receive any Information but from the Votes or Messages of the House." This Position, in a general Sense, is right. But when a House acts in so *unparliamentary* a Way as not to have *all* the Votes which passed in a Committee of the *whole House* faithfully reported, and fairly entered on their Minutes, it cannot then be any Breach of the Rules of Parliament for one in my Station to obtain Information of them in some other Way, and take that Notice of them which their Nature may require. If this was not allowable, the worst of Consequences might ensue. Votes of the most treasonable and unconstitutional Nature might pass in such a Committee, and Measures might be taken in Pursuance of them, without the Governor's having it in his Power to make any timely Opposition to their Designs. The *Vote* I mentioned in my Message, you *acknowledge* did *pass* in the *Committee of the whole House*. Pray, how came it then not to be reported as it ought to have been? Whenever a House omits making such Report, their Conduct is not only *unparliamentary*, but has an exceeding *bad Aspect*.—But, setting this aside, If you will assert Things with respect to my publick Conduct to your House, contrary to or not warranted by what actually appears on the Minutes of your Proceedings, surely I am far more justifiable when, in order to vindicate myself from your Charges, I take Notice of your *real* Transactions, tho' you may not have thought proper to let them appear on your Minutes.—How I came by my Information is a Matter of no Consequence. To imagine I could be ignorant of what had been the Subject of Conversation in all Companies, would be absurd in the highest Degree. It is true there is Danger, as you observe, of admitting "the vague Reports of People out of Doors," yet you must allow that the best Way of preventing that Danger, is to record faithfully all the Transactions of the House. You say the proposed Resolve was "not "rejected as *unjust*" and I shall not dispute that Point with you, tho' it is generally understood that the Members who opposed its Passing represented it as such. If you really thought it *just*, the Reasons you have assigned seem hardly sufficient to have occasioned its Rejection.

You affect, Gentlemen, to be at a loss to know what I mean by saying, that "*Officers of Government are not less amenable to the Laws than other Persons.*" And the Reason you give for your Puzzle is, that "near the Close of my Answer I mention it as a Matter worthy of "mature Consideration *whether this Negligence* laid to his Charge can "be tried here." Now my Words are, "Whether the Treasurer is "liable by Law to make good the Sum stolen out of the Treasury, "and whether the Matter can be properly tried in this Province where "every Freeholder may be considered in some Measure as a Party, are "Questions which require mature Consideration." Had you honestly stated these Questions in their own proper Language, and not left out the Reason which I assigned for the latter, there would not appear the least Foundation for your seeming Difficulty, nor for your pathetic De-

clamation about being reduced to the Necessity of applying elsewhere for Justice, &c.—This Mode of Argument is what, I suppose, Lawyers call *Puzzling the Cause*, and as it has often been practised at the Bar with Success, there is the more Encouragement to introduce it into your honourable House. It will serve likewise to evince what you tell me elsewhere, “that *none* of the House have been used to *Controversy*, and “they *heartily wish* to avoid it,” which, by the Bye, as there are among you some Gentlemen bred to the Law, and who have been long and still are in the Practice of it, is not a little singular.

I have now, I believe, given a particular Answer to the most material Observations contained in your Message, and have only to acquaint you with my Sentiments and Determination respecting your Requests, that I would remove the Treasurer from his Office, and concur in some Measure with you for calling him to an Account for the Deficiency. To the latter, I have already told you that I have not any Objection; and at my Desire a Committee of both Houses has been appointed to confer on the proper Mode for bringing this Matter to a legal Decision. For tho’ you are pleased to say that “you do not entertain a Doubt but “that it may be properly tried in the Colony,” yet there are Gentlemen of perhaps equal Skill in the Laws with any Members of your House, who are modest enough to acknowledge that they very much doubt whether it will be practicable to institute a Suit, in a Case thus particularly circumstanced, so as not to be liable to do some Injustice either to the Treasurer or to the Colony, or that shall not be a Deviation from; or an Infringement of the known Laws of the Land. I must confess that tho’ I have heard many Expedients suggested for getting over this Difficulty, yet there are none of them but in my Opinion are subject to some Exceptions. The Treasurer has signified to me his Willingness to submit the Matter to any reasonable Mode of Decision, and I shall be happy if the Committees agree upon one that will be the least liable to do Injustice to either Party. He requests, however, that he may not be removed until the Affair in Dispute is decided, as such Removal cannot fail to bias the Minds of Men already too much prejudiced by the Reports which have been circulated to his Disadvantage. His Request appears to me to be reasonable, and I do not recollect any Instance (tho’ perhaps there may be some, but I am here without Books) where the King has ever removed an Officer on an Address of the House of Commons, till he had received a Trial for the Misdemeanors laid to his Charge. I remember, indeed, to have read that in King William’s Time the Commons addressed his Majesty to remove from his Councils and Presence forever, Lord Somers and some other Lords, and afterwards impeached each of them of high Crimes and Misdemeanors. But on the other Hand the Lords addressed his Majesty, that he would *pass no Censure* upon any of them *until Judgment was given against them upon the Impeachments*; with which the King complied. There can be no Doubt but it rested entirely in the Breast of His Majesty to determine which Request should be granted; but which was the most just and equitable is the proper Matter for our Consideration.—The Prejudices of a Jurymen may not, perhaps, in the strict Eye of the
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the Law, appear a sufficient Inducement for setting him aside, tho' his having an Interest in the Matter in Dispute would. Yet, in the milder Eye of Equity, the Influence of the former often appears equal to that of the latter. What then must that Man's Case be where both are known to operate with united Force against him? The remotest possible Interest has often been declared by the most learned Judges in *England*, as a sufficient Reason why Judges should not sit upon, or Juries try Causes in that Kingdom. Is there not the same Justice due to every Individual in this Province? Far, however, am I from giving, as you charge me, "the least Countenance to a Supposition that an Officer who "misbehaves cannot be tried in this Province." It is not the mere Misbehaviour of an Officer that is the Point in Question. There are many Kinds of Misbehaviour for which an Officer may be tried at any Time, as well as any other Person. It is a Matter of Property which is in Dispute, and whether by the Laws of the Country a Sum of Money acknowledged to be stolen from a certain Individual shall fall to his Loss or to that of others. Whether that Individual is an Officer of Government or not, nowise alters the Case. The particular Circumstances of it should only be considered, and if any Method can be devised for coming at fair and impartial Justice, it should be administered without Respect of Persons. My gracious Master has directed me, "to take "Care that *no Man's* Life, Member, Freehold or *Goods* be taken away "or *harmed* in this Province, otherwise than by established and "known Laws, not *repugnant* to, but as much as may be *agreeable* "to the Laws of *England*." An Injunction as wise as it is just, and which ought to be a Rule of every Governor's Conduct whether enjoined or not.

Your Request for a previous Removal has embarrassed me greatly. On the one Hand, I cannot but consider the Removal of a Person from his Office, before the Offence laid to his Charge has been satisfactorily proved upon him, as not founded on that Justice which every Man, were it his own Case, would think due to himself. Your Hopes "that "the Resolution of the late House will be that satisfactory Proof," and your Request that if it is not, I would "refer to the Proofs so published," are indeed very extraordinary. To admit a Resolution, containing a mere Opinion of an Assembly, as a *sufficient Proof* to deprive any Subject even of the Value of Six-pence, much more an Office of Importance, seems to be the Height of Injustice. The original Affidavits (not the published Copies) ought indeed to have some Weight so far as they are to the Point and have been properly taken. But I presume it is not proper for me now to decide, on that or any other Evidence, whether he has been guilty of such Negligence as is laid to his Charge, as that would be, in a Manner, determining the Merits of the Case—the very Point in Dispute which may ere long be brought before me for a legal Decision.—On the other Hand, I consider that if the Treasury should again happen to be robbed, or the public Money by any Accident happen to be lost, tho' the Treasurer had taken every Precaution to prevent it which human Foresight could suggest, yet I should be certainly censured for not having complied with the Request of the Assembly

bly who thought the Treasury not safe in his Hands. In this Dilemma I have had Recourse to the Advice of His Majesty's Council for this Province, who are at least equally interested in this Matter with you or any other of the Inhabitants, but whose Characters are too well known to admit of a Supposition of their acting by any improper Bias. Whatever their Determination may be with Regard to the Removal of the Treasurer, by that shall I be governed. I have no Attachments, Gentlemen, that can come in Competition with my Duty to the Publick. It is a Matter of Indifference to me who fills the Office of Treasurer, or any other Office, provided he be a Man of Character, and of Abilities adequate to his Employment. All I mean by my Opposition to your Sentiments is, that common Justice may be done to all Men, and that a Precedent may not be established which may hereafter be attended with worse Consequences to the Community than the Loss of many Times the Sum robbed from the Treasury.

Before I conclude, give me Leave to tell you seriously, Gentlemen, that if you heartily wished to avoid Controversy, you should not have suffered that Paragraph in your Message of the 12th Instant, which insinuated a Reflection on me for continuing the Treasurer in Office, to have been inserted. Or, if it passed thro' Inadvertency, and you were conscious no Reflection was intended against my Conduct, you should candidly have acknowledged it in your last Message. This would have done you Credit; for it is not so much the committing, as the persevering in an Error when discovered which is dishonourable. But you have acted a contrary Part by me. If the Reflection in the first Message was accidental, it is designed in the second, and Reasons urged in Support of it. Had it been otherwise, my Message to you at this Time, would have been very short and probably not unsatisfactory. But I must have been deemed unworthy the Rank I hold, and not possessed of a Grain of Spirit, had I not resented such unjust Accusations. Controversy is, however, really disagreeable to me; and tho' I never seek it, yet I never avoid it where it is necessary to my Character, let the Consequences be what they may. And I now think it proper to tell you, Gentlemen, once for all, that you will ever find me ready to oblige you and serve the Province, as far as may be in my Power; but that as I never have, so I never will suffer any Man, or Body of Men, in Stations so respectable as yours, to pass an unmerited Censure on my Publick Conduct, without endeavouring to do myself Justice.

Sept. 23, 1772.

WM. FRANKLIN.

Which was read, and ordered a second Reading.

The House adjourned till To-morrow Morning Nine o'Clock.

Thursday, September 24, 1772.

The House met.

His Excellency's Message of Yesterday, relative to the Treasury, was read the second Time,

Ordered,

Ordered,

That the same be committed to a Committee of the whole House.

The Engrossed Bill, entitled, *An Act for defraying Incidental Charges*, was read and compared ; on the Question,

Resolved,

That the same do pass.

Ordered,

That the Speaker sign the same.

Ordered,

That Mr. *Winds* and Mr. *Mehelm* do carry the said Bill to the Council for Concurrence.

The House, according to Order, resolved itself into a Committee of the whole House on his Excellency's Message of Yesterday relative to the Treasury, and after some Time spent therein Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported, that the Committee had gone through the Matter to them referred, and come to one Resolution, which he was ready to report whenever the House would please to receive the same,

Ordered,

That the Report be made immediately :

Whereupon Mr. *Fisher* reported the Resolution of the Committee as follows,

Resolved,

That a Message be sent to his Excellency in Answer to his Message of Yesterday respecting the Treasury : To which the House agreed.

Ordered,

That Mr. *Kinsley*, Mr. *Crane*, Mr. *Paxson*, Mr. *Sheppard*, and Mr. *Mehelm*, be a Committee to prepare the Draught of a Message accordingly.

A Message from the Council by Mr. *Parker*.

Council-Chamber, Sept. 24, 1772.

Ordered,

THAT Mr. *Parker* do acquaint the House of Assembly, that the Bill, entitled, *An Act for inspecting and culling Staves*, &c. has passed this House without any Amendment.

By Order of the House,

CHA. PETTIT, D. Clerk.

Mr. *Winds* reported, that Mr. *Mehelm* and himself delivered the Bill with them intrusted to the Speaker in Council.

The House adjourned till Three, P. M.

The House met,

And adjourned till To-morrow Morning Nine o'Clock.

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Friday,

Friday, September 25, 1772.

The House met.

Mr. *Kinscy*, from the Committee appointed to prepare and bring in the Draught of a Message to his Excellency, in Answer to his Message of the 23d Instant, relative to the Treasury, brought in a Draught accordingly, which was read ; and after some Debate thereon, on the Question, Whether the same be engrossed or not ? It passed in the Affirmative.

YEAS.	YEAS.	YEAS.	YEAS.	NAYS.
Mr. <i>Combs</i> ,	Mr. <i>Crane</i> ,	Mr. <i>Hewlings</i> ,	Mr. <i>Tucker</i> ,	Mr. <i>Roy</i> ,
Mr. <i>Weatherill</i> ,	Mr. <i>Garritse</i> ,	Mr. <i>Paxson</i> ,	Mr. <i>Mehelm</i> ,	Mr. <i>Demarest</i> ,
Mr. <i>Moore</i> ,	Mr. <i>Fisher</i> ,	Mr. <i>Price</i> ,	Mr. <i>Sheppard</i> ,	Mr. <i>Ford</i> ,
Mr. <i>Taylor</i> ,	Mr. <i>Dey</i> ,	Mr. <i>Holme</i> ,	Mr. <i>Elmer</i> ,	Mr. <i>Winds</i> ,
Mr. <i>Lawrence</i> ,	Mr. <i>Kinscy</i> ,	Mr. <i>Hand</i> ,	Mr. <i>Van Horne</i> .	Mr. <i>Gibbon</i> ,
				Mr. <i>Pettit</i> .

Ordered,

That the same be engrossed.

The House adjourned till Three, P. M.

The House met.

A Memorial was presented to the House by *Stephen Skinner*, Esq. Treasurer of the Eastern Division, setting forth his Desire that the Deficiency occasioned by the Robbery of the Treasury, should be speedily settled, and that he is ready to appear to a Suit to be brought for that Purpose ; which was read, and ordered a second Reading.

The Engrossed Message to his Excellency, in Answer to his Message of the 23d Instant, was read and compared, and is as follows,

Ordered,

THAT Mr. *Tucker* and Mr. *Elmer* do wait on his Excellency and inform him, that the House have taken into Consideration his Excellency's Message of the Twenty-third Instant.

That the House are far from dishonourably persisting in an Error, knowing it to be so, that they do assure him they still entertain the same Opinion.

That while the Governor is pleased to think they want Candour, no further Sentiments from them will be of Service to effect the Purpose of bringing this Matter to a proper Determination.

That as his Excellency's Message is so remarkably long, they do not think it proper to enter into a particular Answer, and they choose to shew by their Conduct as well as profess, " that they prefer the Publick Good to every other Consideration."

That they are sorry to find Reflections should have a Place in his last Message ; but that as he is pleased to *descend* to Insinuations, pointed either at a *particular Person* or Profession, tho' these may have " often been practised with Success" in other Places, yet they choose to leave him alone the Honour of introducing in a Debate between the Governor and Assembly so polite and convincing an Argument, and " which must " appear with so remarkable good Grace indeed, and of Course requires " no particular Illustration."

That

That as the Resolution of the late House, after a very careful Inquiry, is looked on as mere Opinion, deserving of little Regard; and as his Excellency is pleased to pay so little to the Opinion of the present Assembly in a Point they conceive of so much Importance and so necessary to the Peace of the Colony; as they cannot see any other Mode to be so eligible as that expressed in their last Message; and as they see no Kind of Probability of altering their Sentiments, they think it unnecessary to spend their Time and the Publick Money in Altercations that give so little Prospect of doing any Service to their Constituents.

That when his Excellency can undertake to justify his taking Notice of what passed in a Committee of the House, in which a Motion was determined in the Negative, and for *that Reason* they humbly apprehend improper to be *taken Notice of at all*, can insinuate that the House doth not have all their Votes *faithfully entered*, and can suggest as an Argument the Possibility "That if the first was not allowable, the worst of Consequences might ensue, Votes of a *treasonable and unconstitutional* Nature might be taken in Pursuance of them without the Governor's having it in his Power to make any timely Opposition to their Designs"—and that "this Behaviour of the House has an *exceeding bad Aspect*," they think it Time they should close the present Controversy, lest, on showing a Resentment they conceive proper to Suppositions so remarkable, they might be induced to forget that Decency which is due to the Commission of a King, under whose Government they think it an Honour and Happiness to live.

That to whom the Appointment of a Treasurer of Right belongs they will not at present determine: They have heard a Dispute not long since arose in the Colony of *New-York* on this Subject, and that the Issue of such Dispute was the Assembly's obtaining the Appointment or Nomination of that Treasurer, and that this continues so to this present Time.

That however this may be, it seems to them quite proper, that, as in case of a Deficiency of the Treasury, the People will be applied to to make it good, if it cannot be had from the Treasurer; and as any Negligence in future will in all Probability end to the Detriment of the Province, they conceive a *peculiar Attention ought* to be paid to the Inclinations of the People, as well with respect to his Nomination, as the *Continuance* of him in Office; and how his Excellency can suppose this House will in future raise Money and put it in the Care of the Eastern Treasurer, who hath been *found so negligent of his Duty*, they cannot possibly imagine.

That when his Excellency's Expressions in his last Message are considered, "That when you undertook to give a Detail of some of the Transactions relative to the Affair previous to your Application, you should omit every Circumstance which any Way tended to set my Conduct, or *that of the Treasurer*, in a favourable Light;" and when the Sentiments relative to Juries therein mentioned are attended to, there cannot be the least Doubt how he would have the last applied, and pretty fully explain the Purpose, and to what End his Insinuation is made, that the Message of the twelfth Instant was intended to throw

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all the Blame *on him*: But to persevere in this, when the House had declared positively that they did not intend to give Offence, they beg Leave to say is at least unkind.

On the whole, as the House still see no Reason to alter their Opinion on what *ought to be done* in the present Case, as his Excellency, after giving his own Opinion that a Compliance with the humble Request of the House would be the Height of Injustice, tells them that he will or has applied to the Honourable the Council for their Opinion, by which he will *be governed*, any further Dispute can be of no Service on this Subject.—The House must leave him to pursue such Methods to satisfy the Publick as the Station he fills in this Province calls on him to do, or any Determination he may think proper to come to—they can take no Part in such Prosecution, and shall not look on themselves as answerable for the Consequences.

HOUSE of ASSEMBLY, }
Sept. 25, 1772. }

By Order of the House,
JONA. DEARE, Clerk.

Mr. Tucker reported, that Mr. Elmer and himself delivered the Message with them intrusted to his Excellency, who was pleased to say the House should hear from him.

A Message from the Council, by Mr. Stockton.

Council-Chamber, Sept. 25, 1772.

Ordered,

THAT Mr. Stockton do carry to the House of Assembly the Re-engrossed Bill, with the Amendments of that House, entitled, *An Act to regulate the Practice of Physic and Surgery, within the Colony of New-Jersey.*

By Order of the House,
CHA. PETTIT, D. Clerk.

The Bill Re-engrossed, entitled, *An Act to regulate the Practice of Physic, &c.* sent down by the Council, with the Amendments made thereto by this House, being read and compared; on the Question,

Ordered,

That the Speaker sign the same.

Ordered,

That Mr. Tucker and Mr. Hewlings do carry the said Bill to the Council.

A Message from the Council by Mr. Stevens.

Council-Chamber, Sept. 25, 1772.

Ordered,

THAT Mr. Stevens do acquaint the House of Assembly, that the Bill, entitled, *An Act for establishing the Boundary or Partition Line between the Colonies of New-York and New-Jersey, &c.* and the Bill, entitled, *An Act for defraying Incidental Charges*, have passed the Council without any Amendment.

By Order of the House,
CHA. PETTIT, D. Clerk.

A Message from the Council by Mr. Stockton.

Council-Chamber, Sept. 25, 1772.

Ordered,

THAT Mr. Stockton do carry the Bill, entitled, *An Act for clearing and removing the several Obstructions of the free Course of the Waters in Passaick River, &c.* with the Amendments thereto annexed, to the House of Assembly, and desire their Concurrence in the said Amendments.

Ordered also,

That Mr. Stockton do acquaint the House of Assembly, that the Bill, entitled, *A Supplementary Act to an Act, entitled, An Act for the speedy recovering of Debts from Six Pounds to Ten Pounds, &c.* has passed this House without any Amendment.

By Order of the House,

CHA. PETTIT, D. Clerk.

The Bill, entitled, *An Act for clearing and removing the several Obstructions of the free Course of the Waters in Passaick River, &c.* was read with the Amendments made thereto by the Council, in their Places; and, on the Question, the House agreed to the Council's Amendments.

Ordered,

That the said Bill, with the Amendments, be re-engrossed.

Mr. Tucker reported, that Mr. Hewlings and himself delivered the Bill with them intrusted to the Speaker in Council.

Ordered,

That the Printer appointed by this House to print the Votes do print 596 Sets of the Votes of this House, and send 22 to the Treasurer of the Eastern Division and 22 to the Treasurer of the Western Division, to be distributed as follows,

To the Governor	8	Clerks of the House, for	
Each of the Council	2	the Use of the House,	
Agent	6	each Clerk 2,	4

And that the Printer deliver to the Members of the House, or their Order, as follows,

For Perth-Amboy	15	Gloucester	40
Middlesex	40	Salem	40
Monmouth	60	Cumberland	36
Essex	40	Cape-May	23
Somerset	40	Hunterdon	63
Bergen	30	Morris	40
City of Burlington	15	Suffex	30
County of Burlington	40		

Ordered also,

That the Printer do forthwith print 586 Copies of the Laws, which may be passed this Session, and send 552, as soon as possible, to the several Members of this House.

B b

For

For the Use of <i>Perth-Amboy</i>	8	<i>Gloucester</i>	41
<i>Middlesex</i>	40	<i>Salem</i>	49
<i>Monmouth</i>	47	<i>Cumberland</i>	36
<i>Essex</i>	36	<i>Cape-May</i>	24
<i>Somerfet</i>	45	<i>Hunterdon</i>	59
<i>Bergen</i>	36	<i>Morris</i>	30
<i>City of Burlington</i>	8	<i>Suffex</i>	40
<i>County of Burlington</i>	53		

To be distributed in each County as follows,

To the Members, each	1	Collectors of each Precinct	1
Clerk of the County	1	Assessors, each	1
Clerk of each Precinct	1	Clerk of each Corporation	1
Mayors, each	1	First Judge of each County	1
Collector of each County	1	Each Justice of the Peace	1

Which said several Laws are to be left in the Hands of the respective Members, to be delivered, when called for, to the respective Persons to whom they belong.

And the Printer shall send the Remainder to either of the Treasurers, to be given as follows,

To the Governor	4	Attorney-General	1
Each of the Council	1	Clerks of the House, each	1
Each Judge of the Supreme Court	1	The Agent	4
Clerk of said Court, for each Office,	1	The Clerks of the House, for the Use of the House,	
Treasurers, each	1	each Clerk 2,	4

The House adjourned till To-morrow Morning Nine o'Clock.

Saturday, September 26, 1772.

The House met.

The Memorial of *Stephen Skinner*, Esq. Treasurer of the Eastern Division, presented to the House Yesterday, was read the second Time, and is as follows,

To the Honourable the House of Representatives, of the Colony of *New-Jersey*, in General Assembly met.

The MEMORIAL of STEPHEN SKINNER, Treasurer of the Eastern Division,

Sheweth,

THAT your Memorialist hath long expected and desired that the Deficiency occasioned by the Robbery of the Treasury should be settled, by a fair and impartial Determination according to the Laws of the Land: That he is very uneasy the Matter has been so long delayed; and prays that this House will not defer it any longer, but resolve on a Suit, to which he is ready and desirous to appear, and stand or fall by an impartial Verdict of the Country.

Perth-Amboy, }
Sept. 25, 1772. }

STEPHEN SKINNER.

Whereupon, after some Debate,

Resolved,

That it is the Opinion of this House, that having sent a Message to his Excellency on the Subject of prosecuting the Eastern Treasurer, and therein pointed out the only Mode of Prosecution this House can as yet see eligible,—in doing this they conceive they have done what appears to them to be their Duty at this Time in the Matter :

Y E A S.

Mr. Combs,
Mr. Wetherill,
Mr. Moores,
Mr. Taylor,
Mr. Lawrence,
Mr. Crane,
Mr. Garritse,

Y E A S.

Mr. Dey,
Mr. Kinsey,
Mr. Hewlings,
Mr. Paxson,
Mr. Price,
Mr. Holme,
Mr. Hand,

Y E A S.

Mr. Tucker,
Mr. Mehelm,
Mr. Sheppard,
Mr. Elmer,
Mr. Van Horne,
Mr. Pettit.

N A Y S.

Mr. Fisher,
Mr. Roy,
Mr. Demarest,
Mr. Ford,
Mr. Winds,
Mr. Gibbon.

The Bill re-engrossed with the Council's Amendments, entitled, *An Act for clearing and removing the several Obstructions of the free Course of the Waters in Passaick River, &c.* was read and compared ; on the Question,

Ordered,

That the Speaker sign the same.

Ordered,

That Mr. Ford and Mr. Demarest do carry the said Bill to the Council.

Ordered,

That Mr. Fisher and Mr. Wetherill do go to the Council and desire to know if they have any further Business before them, if not, that the House intend to apply to his Excellency for a Dismission.

The House adjourned till Three, P. M.

The House met.

Mr. Ford reported, that Mr. Demarest and himself delivered the Bill with them intrusted to the Speaker in Council.

Mr. Fisher reported, that Mr. Wetherill and himself went to the Council according to Order, who said they had nothing before them.

Ordered,

That Mr. Crane and Mr. Paxson do wait upon his Excellency and acquaint him, that the House have gone through the Business before them, and desire that his Excellency will please to dismiss them.

Mr. Crane reported, that Mr. Paxson and himself waited on his Excellency according to Order, who was pleased to say the House should hear from him presently.

A Message from his Excellency by Mr. D. Secretary Pettit.

A MESSAGE to the ASSEMBLY.

Gentlemen,

YOUR Answer to my last Message takes Notice of some of the most immaterial Points which have been agitated between us, but is either entirely silent or but slightly touches upon those of the most Importance. The Reason you give for not thinking it “ proper to “ enter

“enter into a particular Answer” is because “my Message is so remarkably long.” An Excuse as remarkable as it is new. If the Positions I advanced, or the Arguments I urged in Support of them, are not well founded, the Duty you owe to the Publick should have induced you, in a Matter of such Consequence, to point out their Defects tho’ they had been ever so numerous or ever so lengthy. If, on the other Hand, you thought them just and proper, your acknowledging them so would have been a stronger Proof that you do not “want Candour” than any Assertion of your own.—The Reason why my Message happened to be so long, was mentioned in it. I thought it my Duty to quote your Expressions fairly and at full Length, that every one might judge of the Propriety of my Remarks upon them. Had I, indeed, followed your Example, by inserting a Line of my own instead of several Sentences of yours, and contented myself with *writing against*, instead of *answering* your Message, I might have made mine as short and as little to the Purpose as any I have been favoured with from your House.

The *first Point* which you have thought proper to animadvert upon, in order to shew that you prefer the *publick Good* to every *other* Consideration, is what in one Place you call *Reflections*, in another *Insinuations*, and in another an *Argument* “pointed either at a *particular Person* or *Profession*. It is not impossible but that I may have thrown out an Observation or two which some particular Person may have applied to himself from a Consciousness of his having unnecessarily, and without Provocation, been the Cause of unjust Reflections and Insinuations (I cannot say Argument) against my publick Conduct. But I do deny that my Message contains any Thing which by a fair Construction can be said to be either a Reflection, Insinuation, or Argument against any particular Man or Profession whatever.

I shall now proceed to the Consideration of your next Paragraph. The Resolution of the late House, to which you refer, can be considered in no other Light than as a *mere Opinion*. It is expressly declared to be so in the Resolve itself. I have known the same Assembly to alter its Opinion in the same Session, and with good Reason. It seems by your Minutes that you have founded your Sentiments on this important Matter entirely on the Opinion of the late House, as if an Opinion of an Assembly once given must ever be deemed an infallible and implicit Rule of Conduct to their Successors. Had you, however, before you sent me your Message on the Subject, thought proper to make as “careful an Inquiry” into the Matter as you say was done by the late Assembly, you might, perhaps, have had Reason to think that Opinion ill founded.—As to your not seeing “any other Mode to be so eligible as that expressed in your last Message,” it is no Fault of mine. The Objections which occurred to me against it, I told you honestly and plainly, and if you can answer them I wish you would give me that Satisfaction. But, Gentlemen, you know that as every Mode which had been pointed out appeared to me liable to some Objection, I requested that a Committee of both Houses might meet in a free Conference on the Subject. Whatever Mode such a Committee could agree upon, and the two Houses would recommend to me, I was
and

and still am ready to adopt. It is true you did appoint a Committee, but instead of meeting to *confer freely* and to determine on that Mode which should appear the least liable to Exceptions, they declared themselves bound by the Sentiments of the House with respect to the previous Removal of the Treasurer, and in a Manner made that the *sine qua non* of any Consideration about the Mode of instituting a Suit against him. In short, if your Determination is not implicitly complied with, you seem to be very indifferent whether the Treasurer is called to an Account or not.

You next find Fault with my justifying myself for taking Notice of a Vote which passed in a Committee of the whole House; and in Excuse for its not appearing on your Minutes, you say that you “*apprehend when a Motion is determined in the Negative it is improper to be taken Notice of at all.*” If it is so, then the House of Commons and the Assemblies of every Province are in the constant Practice of that Impropriety. You need look no further back than the Minutes of the late Assembly, where you will find that in October 1770, in a Committee of the whole House, a Vote was put whether they would grant a Supply for the Troops, which passed in the Negative, and was so reported and entered. There is the same Reason for reporting the Vote which passed on a Motion whether the Governor should be addressed to remove the Treasurer.—As to the other Part of the Paragraph, which respects what I said about “*Votes of a treasonable and unconstitutional Nature,*” if you will make a particular Application to yourselves of a mere general Supposition that may occasionally suit any popular Assembly, I cannot help it. Nor can I help it, if you should even carry your seeming Threats of Resentment into Execution; but I must confess myself at a Loss to conceive how you can “*forget that Decency which is due to the Commission of a King*” more than you have already done.

I come now to a most important Point indeed! The grand *Defideratum*, which has been the secret Spring and Mover of all your Actions, is at length suffered to make its Appearance. The Removal of the Treasurer was not so warmly contended for, it seems, for the Sake of bringing him to an Account, as that your House might have the Appointment of another to that Office.—Your Hearsay of what passed on this Head at New-York, I can answer with another Hearsay of at least equal Authority, which makes that Transaction appear in quite another Light. But how shall we make your Conduct consistent? In your former Message you do not express the least Doubt of my Right; on the contrary you desire me not only to remove the Treasurer from his Office, but to “*put some other Person therein.*” In the present Message, you will not *determine*, you say, “*to whom the Appointment of a Treasurer of Right belongs.*” Nor need you, Gentlemen, take that Trouble; for I now tell you solemnly, that no Consideration whatever shall induce me to give up that Right, but the King’s express Commands for the Purpose. And this Determination I shall strictly adhere to, even if you should never, as you insinuate, on that Account, consent to raise a Farthing of Money to put into the Treasury. I shall

not, however, appoint any Man to, or continue any Man in that Office, against whom there are any just Exceptions ; and I cannot but think it somewhat extraordinary that you should say the present Treasurer “ hath been *found* negligent of his Duty” when you must know that *That* is a Point which remains yet to be legally tried, and that every Englishman has a Right to be supposed innocent of anything laid to his Charge until the Laws of his Country have declared otherwise.

The greatest Part of the ensuing Paragraph it is impossible for me to answer, as I am not able to comprehend the Meaning of it. Here I do acknowledge myself completely puzzled. Whether you mean to blame me for taking Notice of your Omission of such Particulars as set the Conduct of the Treasurer in a favourable Light, or whether you mean any Disapprobation of my Sentiments relative to Juries, is what I cannot determine. What is intelligible to me I shall answer. You say it is at least unkind to persevere in saying that the House intended to throw all the Blame on me, when they have positively declared the contrary. On which let me ask you, Whether if I was, in one Message, to insinuate in pretty plain Terms that you had acted contrary to or omitted doing of your Duty, and in another endeavour to prove such Insinuation to be just, but at the same Time was to tell you that I had no Intention to throw any Blame on you, would you think I had any Right to say you were *unkind* in not believing me?

I am sorry, Gentlemen, to find you declare that “ you still see no Reason to alter your Opinion on what ought to be done in the “ present Case,” and yet will not deign to give me any Reasons for your adhering to it, or answer any Objections made to your Sentiments on the Subject. It is still my Opinion that the admitting a Resolution of another Assembly, containing a mere Opinion of theirs, to be a *sufficient Proof* to deprive any Subject of the Value of *Six-pence*, is the Height of Injustice. If you can shew me any Reason to the contrary, you will find me open to Conviction. I have, as I told you before, applied to his Majesty’s Council for their Advice on the Occasion, and they are unanimously of Opinion that it is not proper that the Treasurer should at present be removed. The Treasurer, however, has pressingly solicited that this Session may not be suffered to pass over without some Mode settled for trying the Matter in Dispute. But you must be convinced that if you are determined, as you tell me, to “ take no Part in such Prosecution” that it will not be in my Power to carry on any kind of Suit for this Purpose to Effect. If you do not grant Money to defray the Expence of seeing Lawyers, you must be sensible that none of them can be expected to give themselves any Concern in the Matter. To require it of the Attorney General would, considering his near Connection, be unreasonable. I therefore now tell you that I will appoint any Lawyers to that necessary Service whom you shall recommend to me, and that if you do not provide for the Expences of carrying on the Suit before you rise, I shall be under a Necessity of letting the Affair remain in the same unsettled State it is at present ; for which, if any ill Consequences should arise to the Publick, it cannot be reasonable that I should incur any Censure.

Sept. 26, 1772.

W^m. FRANKLIN.

Which was read ; and the Question being put, Whether the House thinks it necessary at this Time to go into any further Answer to the said Message, or not ? It passed in the Negative, as follows,

YEAS.	YEAS.	NAYS.	NAYS.
Mr. Crane,	Mr. Gibbon,	Mr. Combs,	Mr. Demarest,
Mr. Fisher,	Mr. Tucker,	Mr. Wetherill,	Mr. Winds,
Mr. Roy,	Mr. Mehelm,	Mr. Moores,	Mr. Paxson,
Mr. Ford,	Mr. Elmer,	Mr. Taylor,	Mr. Price,
Mr. Kinsley,	Mr. Van Horne,	Mr. Lawrence,	Mr. Holme,
Mr. Hewlings,	Mr. Pettit.	Mr. Garritse,	Mr. Hand,
		Mr. Dey,	Mr. Sheppard.

Ordered,

That Mr. Fisher and Mr. Wetherill do wait upon his Excellency and acquaint him, that the House have gone through the Business before them, and desire that his Excellency would please to dismiss them.

Mr. Fisher reported, that Mr. Wetherill and himself waited on his Excellency, according to Order, who was pleased to say the House should hear from him presently.

A Message from his Excellency by Mr. D. Secretary Pettit.

Mr. Speaker,

HIS Excellency is in the Council-Chamber, and requires the immediate Attendance of the House.

Whereupon Mr. Speaker left the Chair, and, with the House, went to wait upon his Excellency, who was pleased to give his Assent to the following Bills, Enacting the same, viz.

1. *An Act for the Support of Government of His Majesty's Colony of New-Jersey, to commence the first Day of October 1772, and to end the first Day of October 1773 ; and to discharge the publick Debts and Contingent Charges thereof.*

2. *An Act for defraying Incidental Charges.*

3. *An Act for establishing the Boundary or Partition Line between the Colonies of New-York and Nova-Cæfarea or New-Jersey, and for confirming the Titles and Possessions.*

4. *An Act for making Procefs in Courts of Equity effectual against Mortgagors who abscond and cannot be served therewith, or who refuse to appear.*

5. *An Act to regulate the Practice of Physic and Surgery, within the Colony of New-Jersey.*

6. *An Act to enable all Persons who are His Majesty's liege Subjects either by Birth or Naturalization to inherit and hold real Estates, notwithstanding any Defect of Purchases made before Naturalization, within this Colony.*

7. *A Supplementary Act to an Act, entitled, An Act for the speedy recovering of Debts from Six Pounds to Ten Pounds in the Inferior Courts of Common Pleas of this Colony for small Fees.*

8. *An Act to prevent the Exportation of unmerchantable Flour to foreign Markets.*

9. *An*

9. An Act for inspecting and culling Staves, Heading, Hoops, Shingles, Timber, Boards and Plank ; and for inspecting and measuring Corn, Wheat, and other Grain, that shall be exported from the Province of New-Jersey beyond Sea.

10. An Act to prevent Abuses in the packing of Beef and Pork, and for ascertaining the Size of Casks, and the Quantity that shall be put into each.

11. An Act for clearing and removing the several Obstructions of the free Course of the Waters in Passaick River, and the several Branches thereof between the Little Falls in the said River, and the Mill-Dam across said River near Day's Bridge over said River, and for other Purposes therein mentioned.

12. An Act to enable the Proprietors and Possessors of the Meadows, Swamps, and low Lands on the Rivers Passaick and Dead River to clear the same, and remove every Obstruction to the free Passage of the Waters from the Saw-Mill formerly belonging to Samuel Woodruff, Esq. deceased, up the Stream of the said River Passaick, to the Mill known by the Name of Boyle's Mill, and up Dead River to the Bridge commonly called and known by the Name of Grant's Bridge.

13. A Supplementary Act to an Act, entitled, An Act to enable the Owners and Possessors of the Meadows and Swamps lying on a small Branch of Alloway's Creek in the County of Salem, to keep up and maintain the Banks, Dams, and other Water-works in the said Meadow, and to keep the Water Courses thereof open and clear.

14. An Act to enable the Owners and Possessors of Meadows and Tide-Marsh lying on Assiskunk Creek within the Limits of the City of Burlington, to erect and maintain a Bank, Dam, and other Water-works across the said Creek, in order to prevent the Tide from overflowing the same.

15. An Act to enable sundry of the Owners and Possessors of Meadows and Tide-Marsh, lying on English's Creek in the County of Burlington, to erect and maintain a Bank, Dam, and other Water-works across the said Creek, in order to prevent the Tide from overflowing the same, and to keep the former Water Course of said Creek open and clear, and to make the said Dam when erected a publick Landing.

16. An Act to enable the Owners and Possessors of a Tract of Marsh and Meadow at Elfinborough in the County of Salem, to uphold and maintain a certain Bank for draining the same Meadow, and for other Purposes therein mentioned.

17. An Act for raising the Sum of Four Hundred and Fifty Pounds Proclamation, on the Inhabitants of the Counties of Somerset and Middlesex, to be applied to the completing the Bridge over Raritan at the Landing.

18. A Supplementary Act to the Act, entitled, An Act to empower certain Persons therein named, to raise a Sum of Money by Subscription or by Taxation, to rebuild and keep in Repair the Bridge over Raritan River near Bound-Brook, known by the Name of Queen's-Bridge.

19. An

19. *An Act to prevent the holding of Fairs in the City of Burlington, Princeton, and Township of Windfor.*

20. *An Act to enable certain Persons to erect and draw a Lottery for raising the Sum of One Thousand and Fifty Pounds, to be applied for the Purposes therein mentioned.*

21. *An Act for the Preservation of Deer in the Township of Morris.*

22. *An Act for the Relief of Richard Stevens, with Respect to the Imprisonment of his Person.*

23. *An Act for the Relief of Benjamin Ayers, now a Prisoner in the Gaol of the County of Cumberland.*

24. *An Act to naturalize John George Felthausen.*

25. *An Act to dissolve the Marriage of David Baxter with Margaret his Wife, late Margaret Mac Murtry.*

And then his EXCELLENCY prorogued the General Assembly to Tuesday the Twenty-seventh Day of October next, then to meet at Burlington.

BY VIRTUE of an ORDER of the HOUSE of REPRESENTATIVES, I do appoint *Isaac Collins* to print these Votes.

CORTLAND SKINNER, *Speaker.*



N. 74.

V O T E S
A N D
P R O C E E D I N G S
O F T H E
G E N E R A L A S S E M B L Y
O F T H E
C O L O N Y O F N E W - J E R S E Y .

AT A SESSION BEGAN AT BURLINGTON, WEDNESDAY,
NOVEMBER 10, 1773, AND CONTINUED UNTIL THE 11th DAY
OF MARCH FOLLOWING.

BEING THE SECOND SESSION OF THE TWENTY-SECOND ASSEMBLY
OF NEW-JERSEY.

1773-1774.



BURLINGTON:

PRINTED BY ISAAC COLLINS, PRINTER TO THE KING, FOR
THE PROVINCE OF NEW-JERSEY, M.DCC.LXXIV.

Votes &c. of the General Assembly.

NAMES OF THE REPRESENTATIVES.

C ITY of <i>Perth-Amboy</i> ,	Cortland Skinner, <i>Speaker</i> ,	John Combs,
<i>Middlesex</i> ,	John Wetherill,	John Moores,
<i>Monmouth</i> ,	Edward Taylor,	Richard Lawrence,
<i>Effex</i> ,	Stephen Crane,	Henry Garritte,
<i>Somerfet</i> ,	Hendrick Fisher,	John Roy,
<i>Bergen</i> ,	Theunis Dey,	John Demarest,
<i>Morris</i> ,	Jacob Ford,	William Winds,
City of <i>Burlington</i> ,	James Kinsey,	Thomas P. Hewlings,
County of <i>Burlington</i> ,	Henry Paxson,	Anthony Sykes,
<i>Gloucester</i> ,	John Hinchman,	Robert F. Price,
<i>Salem</i> ,	Grant Gibbon,	Benjamin Holme,
<i>Cape-May</i> ,	Jonathan Hand,	Eli Eldridge,
<i>Hunterdon</i> ,	Samuel Tucker,	John Mehelm,
<i>Cumberland</i> ,	John Sheppard,	Theophilus Elmer,
<i>Suffex</i> ,	Thomas Van Horne,	Nathaniel Pettit.

BURLINGTON, Wednesday, November 10, 1773.

PURSUANT to His Excellency's several Prorogations of the General Assembly from Time to Time till this Day, the House met; and, for Want of a sufficient Number of Members to proceed upon Business, adjourned till To-morrow Morning Nine o'Clock.

Thursday, November 11, 1773.

The House met;

And, for Want of a sufficient Number of Members, adjourned till Two, P. M.

The House met.

Eli Eldridge, Esq. being duly returned a Representative in Assembly for the County of *Cape-May*, and now attending, was called in, and
Mr.

Mr. Speaker informing the House that Mr. *Eldridge* had been regularly qualified before him,

Ordered,

That Mr. *Eldridge* do take his Seat in the House.

Ordered,

That Mr. *Fisher* and Mr. *Wetherill* do wait on His Excellency, and acquaint him; That a sufficient Number of Members to proceed upon Business are met, and ready to receive any Thing he may please to lay before them.

Mr. *Fisher* reported, That Mr. *Wetherill* and Himself waited on the Governor accordingly, who was pleased to say, The House should hear from him To-morrow Morning.

Resolved,

That *David Overton* be appointed Door-keeper of this House.

A Petition was presented to the House from *Lucas Van Beverhoudt*, setting forth, That he is a foreign Protestant, and is desirous of being naturalized in this Province; which Petition was read, and ordered a second Reading.

A Petition was presented to the House from sundry Freeholders of the County of *Hunterdon*, praying, for the Reasons therein contained, that no Act may pass whereby private Persons and Families may be debarred from weaving their own Cloth; which Petition was read, and ordered a second Reading.

A Petition was presented to the House, and read, from a Number of Freeholders and others Inhabitants of *Morris* County, praying a Law to strike a Sum of Money to be let out on Loan;

Ordered,

That the same be read a second Time.

A Petition was presented to the House from *Robert Doughty*, and others, praying an Act for banking out *Absecom* Creek, in the County of *Gloucester*; which Petition was read, and ordered to be read a second Time.

A Petition was presented to the House from sundry Inhabitants of the upper Part of this Province, praying a Law to prohibit all Persons but professed Tanners from purchasing any green Hides or Calfskins; the Petition was read, and ordered a second Reading.

Ordered,

That Mr. *Wetherill*, Mr. *Paxson* and Mr. *Sheppard*, be a Committee to inspect the Minutes of this House, and report what Business is referred over to this Session.

Ordered,

That Mr. *Hinchman*, Mr. *Gibbon* and Mr. *Holme*, be a Committee to inquire what Laws are expired or are near expiring, and make Report thereof to the House.

The House adjourned till Nine o'Clock To-morrow Morning.

Friday,

Friday, November 12, 1773.

The House met.

A Petition was presented to the House from *Ralph Smith* and many others, praying, That a Bounty of *Ten Pounds* may be granted for every Tun of good bright Hemp, and *Twenty Shillings* for every Five Hundred Weight of good bright Flax, raised within this Colony; which was read, and ordered a second Reading.

Mr. Speaker laid before the House sundry Letters from the Speaker of the House of Burgesses in *Virginia*, and from the Speakers of the Assemblies in *Boston*, *Connecticut* and *Rhode-Island*; which were read.

A Message from His Excellency by Mr. D. Secretary *Pettit*.

MR. Speaker, His Excellency is in the Council-Chamber, and requires the immediate Attendance of the House;

Whereupon Mr. Speaker left the Chair, and with the House, went to wait upon His Excellency; and being returned Mr. Speaker resumed the Chair, and reported, That the House had waited on His Excellency, who was pleased to make a Speech to the Council and House of Assembly, of which Mr. Speaker said he had, to prevent Mistakes, obtained a Copy; and the same by Order of the House was read, and is as follows, viz.

Gentlemen of the Council, and Gentlemen of the General Assembly;

A DISCOVERY was made some Time in the Beginning of the last Summer of a Number of Persons in the Counties of *Middlesex* and *Monmouth* concerned in making a base kind of Half Johannes and Spanish Dollars, which happily led to the Discovery of another Gang of Villains in the Counties of *Morris* and *Sussex* who had for several Years past been employed in counterfeiting and passing the Paper Currency of this and the neighbouring Colonies. From the Confessions of some of them, corroborated by many striking Circumstances, the Affair of the Robbery of the Treasury, which had remained so long enveloped in Darkness, has likewise been brought to Light.—Unluckily some of each Gang have made their Escape out of the Province, but all of the former who were apprehended, and one of the Chief of the latter have received that Punishment for their Crimes which the Law would permit. Three others, who were sentenced to Death, have been respited, for very particular Reasons, as you will see by the Papers I shall order to be laid before you. No Endeavours have been, or shall be wanting, on my Part, to have those who escaped, apprehended and brought to Justice.

As the Mischief in which these Persons were engaged is of such extensive and pernicious a Nature, I cannot but congratulate you upon the Stop which has been put to its further Progress: Nor can I doubt but you will think with me, that the Thanks and grateful Acknowledgments of the Publick are due to those Gentlemen who have with great Zeal and Abilities, and with considerable Trouble and Expence, been the Means of detecting and apprehending the Authors of it.

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On

On this Occasion, I think it proper to recommend to you the Passing of a Law to make it Felony to counterfeit in this Province the Silver and Gold Coins of foreign Countries. Many of them have now so general a Circulation here, that the Mischiefs resulting from their being counterfeited may be as destructive as the counterfeiting of our own Paper Currency.

Gentlemen of the General Assembly;

Besides making due Provision for the Support of Government, I have to request that you would grant a Supply for the King's Troops now stationed in this Colony. As I apprehended it would have been very inconvenient to your private Affairs, had I called you together at the Season when the Troops arrived, I desired Major-General *Haldimand* to let the Barrack-Master-General furnish the Troops with the usual Necessaries supplied by the Province, and gave him Reason to expect that you would, at your first Meeting, provide for any reasonable Expence which might be incurred on that Account. This the General was so obliging as to do, and I trust you will not be deficient in evincing that you have a proper Sense of the Kindness.—The Barrack Master's Accounts shall be laid before you as soon as they can be prepared.

I must likewise recommend it to you to enable me, as soon as possible, to offer such Rewards and Encouragements for apprehending and bringing to Justice the Persons accused of counterfeiting our Paper Currency and robbing the Treasury, as will become the Honour of the Province and the Importance of the Occasion. For Want of a Fund appropriated to answer contingent Expences, this Province often labours under considerable Disadvantages. In all Probability if Government had been impowered to hire a Number of active Men to have gone off immediately in different Parties, in Pursuit of those Delinquents, they would ere now have received the Punishment due to their Crimes.

Gentlemen of the Council, and Gentlemen of the General Assembly;

I am never so happy as when I have an Opportunity of promoting the Publick Welfare, and as I know of Nothing which has a Chance to contribute more to that desirable End than Harmony between the several Branches of the Legislature, I shall not fail to cultivate it as much as may be in my Power, and I flatter myself that I shall, during the Course of the ensuing Session, meet with the same Disposition on your Parts.

COUNCIL-CHAMBER, }
Nov. 12, 1773. }

WM. FRANKLIN.

Ordered,

That His Excellency's Speech be read a second Time.

Mr. D. Secretary laid before the House sundry Papers relative to the Matters mentioned in the Governor's Speech.

The House adjourned till Two, P. M.

The House met.

A Petition

A Petition was presented to the House from *Ebenezer Corwell*, praying, That no Act may pass for the Relief of *Thomas Reading*, so as to screen him from Arrests; which was read, and ordered a second Reading.

A Message from His Excellency by Mr. D. Secretary *Pettit*.

A MESSAGE to the ASSEMBLY.

GENTLEMEN,

BY the Papers which I laid before you this Morning, you will perceive that some Men are now waiting in this Town upon Expenses to know the Determination of Government with respect to employing them to go in Pursuit of the Persons who are accused of Counterfeiting our Paper Currency and Robbing the Treasury. I should therefore be glad that you would inform me, whether you are inclined to enable me to send them on the Expedition mentioned in those Papers, as otherwise I shall discharge them.—You must be sensible that any Delay given to a Matter of this Nature may be of dangerous Consequence.

Nov. 12, 1773. }
P. M. }

W^M. FRANKLIN.

Which was read :

Whereupon, after some Debate, the Question was put, Whether the House will enable the Governor to send Men after the Persons accused, or will authorize the Government to offer a Reward for the Apprehension of them? It was carried for the latter.

Resolved,

That this House will enable His Excellency the Governor to offer by Proclamation a Reward of £. 300 each for the Apprehension and Lodging in any Gaol of this Province the Persons of *Samuel Ford* and *Joseph Richardson*, and £. 50 for *John King*.

Ordered,

THAT Mr. *Tucker* and Mr. *Paxson* do wait on His Excellency, and inform him, That the House have taken His Excellency's Message into immediate Consideration, and though the House does not at present think it expedient to send Men, yet by an unanimous Resolve, they have enabled His Excellency, by Proclamation to offer a Reward of £. 300 each for the apprehending and lodging in some Gaol of this Province, the Persons of *Samuel Ford* and *Joseph Richardson*, and £. 50 for *John King*, for which the House will make Provision by Law.

HOUSE of ASSEMBLY, }
Nov. 12, 1773. }

By Order of the House,

RICHARD SMITH, Clerk.

Mr. D. Secretary laid before the House the several Prorogations of the House since last Session.

A Petition

A Petition was presented to the House from *Joseph Moore* of *Amwell*, in the County of *Hunterdon*, setting forth, That, by Order of a Justice of Peace, and the two chosen Freeholders, he repaired a certain Bridge in that Township, but has not been able to get his Pay therefor, and praying Redress in the Premises; which was read, and ordered to be read a second Time.

A Petition was presented to the House from *Daniel Darcey*, *Jacob Savoy* and *John Bittle*, Owners and Possessors of a Tract of Marsh and Swamp in *Upper-Penn's-Neck* in the County of *Salem*, praying an Act to erect and maintain a Bank, Dam and other Waterworks, to prevent the Tide from overflowing the same; the Petition was read, and ordered a second Reading.

The House adjourned till Nine o'Clock To-morrow Morning.

Saturday, November 13, 1773.

The House met.

Mr. Tucker reported, That *Mr. Paxson* and himself delivered the Message of Yesterday to His Excellency, according to Order.

A Petition was presented to the House from *Joseph English* and others, Owners of Meadows on *English's Creek* in the Township of *Mansfield*, and County of *Burlington*, praying a Law to erect a Bank nearer to the Mouth of the Creek, than the present Bank; which Petition was read, and ordered a second Reading.

Several Bundles of the Papers laid before the House by Order of the Governor, were now read.

The House adjourned till Monday Morning Nine o'Clock.

Monday, November 15, 1773.

The House met.

Two Petitions were presented to the House, and read, from a large Number of Freeholders of the County of *Somerset*, praying, That no Law may pass to prohibit private Families from weaving their own Cloth;

Ordered,

That they be read a second Time.

A Petition was presented to the House from *Joseph Rue*, a Prisoner for Debt in *Perth-Amboy Gaol*, setting forth the particular Circumstances of his Case, and praying an Act of Assembly for his Relief; the Petition was read, and ordered a second Reading.

A Petition was presented to the House from some Inhabitants of the Township of *Hanover*, in the County of *Morris*, praying a Law to repeal their present Road Act; which Petition was read, and ordered a second Reading.

A Petition

A Petition was presented to the House from *George Cook*, setting forth Reasons why no Act should pass in favour of *Joseph Rue*; the said Petition was read, and ordered a second Reading.

A Petition was presented to the House from sundry Freeholders and other Inhabitants of the County of *Middlesex*, setting forth, That the Law respecting Line Fences does not oblige Persons, whose Lands are divided by Brooks, to make and maintain a lawful Fence, and praying a Remedy therefor; the Petition was read, and ordered a second Reading.

A Petition was presented to the House from *James Morgan*, a Prisoner for Debt in *Amboy Gaol*, setting forth the Particulars of his Case, and praying an Act to relieve his Body from Imprisonment; the Petition was read, and ordered a second Reading.

A Petition was presented to the House from several Freeholders and Inhabitants of the Corporation of *Bergen*, setting forth Reasons against a Bill for appointing Commissioners for laying out and keeping in Repair certain Roads to and from *Paulus-Hook*; which Petition was read, and ordered to be read a second Time.

A Petition was presented to the House from sundry Inhabitants of the Township of *Elfinborough*, in the County of *Salem*, praying a Law to keep their Roads and Bridges in Repair by a Tax, in the same Manner, and under the same Restrictions, as a Law passed for the Township of *Deptford*, in the County of *Gloucester*, in the Year 1771; the Petition was read, and ordered to be read a second Time.

Ordered,

That the Clerk of this House do search for the Papers relating to the Settlement of the Accounts of the late Col. *Peter Schuyler*, and give such Copies thereof to *Isaac Ogden*, Esq. as he shall apply for, he paying for the same.

Several other Bundles of the Papers laid before the House by Order of His Excellency were read.

A Message from His Excellency by Mr. D. Secretary *Pettit*.

GENTLEMEN,

I AM glad to find that you have, agreeably to what I recommended to you in my Speech, enabled me to offer Rewards for the apprehending of *Samuel Ford*, *Joseph Richardson* and *John King*; but as those Rewards are made payable only in case of their being lodged in some Gaol of this Province; and as they may possibly, if taken, be tried and punished in *Pennsylvania*, where they have been guilty of the like Offences, and where the like Reward is offered, I submit it to you whether it would not be more likely to answer our Purpose of bringing these People to Justice if the Reward was made payable on their Conviction in either Province. I must likewise request you to consider whether it would not be proper to offer a Reward for apprehending of *Thomas Budd*, who, you will see by some of the Papers laid before you, has been deeply concerned with *Ford* and *Richardson*, and has gone off with the latter.

November 15, 1773.

W^m. FRANKLIN.

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The same was read, and ordered a second Reading.

The House adjourned till Two, P. M.

The House met.

A Petition was presented to the House from *Abraham Woolman, Robert Engle, jun.* and *Joseph Engle*, Owners of Marsh on both Sides of a small Creek in the Township of *Evesham* in the County of *Burlington*, called *Mason's Creek*, praying a Law to stop out the Tide from overflowing the same; the Petition was read, and ordered to be read a second Time.

A Petition was presented to the House from several Freeholders and Inhabitants of the Townships of *Reading* and *Tewksbury*, and others adjoining, in the County of *Hunterdon*, praying a Law to levy a Sum not exceeding £. 250 upon the County of *Hunterdon*, for completing two Bridges with Stone Pillars over the south Branch of the River *Rockaway*, and over the main Branch, in the Places where the old Bridges at present stand; the said Petition was read, and ordered a second Reading.

His Excellency's Message of this Morning was read the second Time, and, after some Time spent thereon,

Resolved,

That His Excellency be enabled to draw on the Treasury for, and pay the several Sums offered for the apprehending of *Joseph Richardson, Samuel Ford* and *John King*, upon their being taken and safely lodged in the Gaol of the Cities of *Philadelphia* or *Burlington*.

Ordered,

THAT Mr. *Crane* and Mr. *Hewlings* do wait on His Excellency and inform him, That the House does not apprehend it necessary to offer any Reward for *Thomas Budd*, as it does not appear that he was concerned in counterfeiting the Paper Currency of this Colony, and was rather concerned only with *Richardson* and others in *Philadelphia*—That the House, by a new Resolve, have enabled His Excellency to draw from the Treasury, and pay the several Sums of Money given by the former Resolve, to such Persons as shall apprehend *Samuel Ford, Joseph Richardson* and *John King*, and safely lodge them in the Gaol of either of the Cities of *Philadelphia* or *Burlington*.

HOUSE of ASSEMBLY, }
Nov. 15, 1773. }

By Order of the House,

RICHARD SMITH, Clerk.

The Petition from *Lucas Van Beverhoudt*, for Naturalization, was read the second Time, together with a Certificate of his having taken the usual Oaths, and made and subscribed the Declaration by Law appointed; on the Question,

Ordered,

That he have Leave to bring in a Bill accordingly.

The House adjourned till Nine o'Clock To-morrow Morning.

Tuesday, November 16, 1773.

The House met.

Mr.

Mr. *Crane* reported, That Mr. *Hewlings* and himself delivered the Message of Yesterday to His Excellency.

Mr. *Wetherill*, from the Committee appointed to inquire what Business stands referred to this Session, made the following Report, viz.

1. *Croffwicks* Creek Bridge Petition.
2. Petition for stopping *Rapaupa* Creek.
3. The Bill for Regulating the Tanning of Leather.
4. A Hearing in regard to moving *Cohansey* Bridge.
5. Petition of *Ann Morell* and others.
6. *Hunterdon* Petitions for and against fishing in the River *Delaware*.
7. Bill for a Road from *Paulus-Hook*, &c.
8. Petition from *Essex* and *Bergen* against stopping *Passaick* River.
9. Bill for lowering Interest.
10. Petitions for striking Paper Money.
11. Bill for suppressing Vice and Immorality.
12. Bill for Relief of the Poor.

A Petition was presented to the House, and read, from several of the Creditors of *Abner Hetfield*, praying, That an Act of Assembly may pass to discharge him from all Actions or Demands by or from any of his Creditors—and Mr. *Boudinot* was heard before the House on this Subject:

Whereupon, in Pursuance of the Leave granted last Session, Mr. *Crane*, in Behalf of the Petitioner, brought in a Bill, entitled, *An Act for the Relief of Abner Hetfield, an Insolvent Debtor*; which was read, and ordered a second Reading.

Col. *Ford*, in Pursuance of the Leave granted, and in Behalf of the Petitioner, brought in a Bill, entitled, *An Act to naturalize Lucas Van Beverhoudt*; which was read, and ordered a second Reading.

A Petition was presented to the House from a large Number of the Inhabitants residing near the Fork of *Nacut* Creek, in the County of *Gloucester*, praying, That *Evi Smith*, *Hugh M'Cullum* and *Richard Westcott*, may be indulged with a Law to erect a Dam and Mill across the said Creek; and,

A Petition was presented from *Thomas Clark* and others, opposing the same; both which were read, and ordered to be read a second Time.

Three Petitions were presented to the House from Freeholders and others of the County of *Somerset*, praying a Law to raise £ 150 on that County, for erecting a Bridge with Stone Pillars over the River *Lameton*; which Petitions were read, and ordered second Readings.

A Petition was presented to the House from sundry Inhabitants of the Township of *Bedminster*, in the County of *Somerset*, praying a Revival of the Law to repair their Publick Highways by Hire; the same was read, and ordered to be read a second Time.

The House resumed the Consideration of the several Petitions for and against a Law for a Toll-Bridge over *Croffwicks* Creek, in the County of *Burlington*, referred from last Session;

Ordered,

Ordered,

That the several Parties be heard before the House on *Thursday* the 25th of this Instant, *November*, at Ten o'Clock in the Morning; and that the Members for *Burlington* County do give Notice thereof to the Parties.

The House went through the several Papers laid before the House by Order of His Excellency the Governor.

The House resumed the Consideration of the Petitions for and against a Law for erecting a Dam across *Rapaupa* Creek, in the County of *Gloucester*, from the Land of *Thomas Thomson* to the Land of *Lynford Lardner*, referred from last Session;

Ordered,

That the Petitioners for the Law have Leave to bring in the same accordingly:

Whereupon Mr. *Hinchman*, in their Behalf, brought in a Bill, entitled, *An Act to enable the Owners and Possessors of the Meadows and Marsh adjoining Rapaupa Creek, in the County of Gloucester, to erect, cast up, repair and maintain a Dam, Bank and other Waterworks, sufficient to prevent the Tide from overflowing the same*; which was read, and ordered to be read a second Time.

The House adjourned till Two, P. M.

The House met.

The Bill, entitled, *An Act to naturalize Lucas Van Beverhoudt*, was read the second Time; and on the Question agreed to, and ordered to be engrossed.

A Petition was presented to the House from the Owners and Possessors of Tide Marsh and Swamp, lying on the Southwest Side of *Raccoon* Creek, in the Township of *Woolwich*, in the County of *Gloucester*, praying an Act of Assembly to erect Waterworks across the Creek; the Petition was read, and ordered a second Reading.

A Motion was made, That the House should send a Message to the Governor, requesting that His Excellency would be pleased to favour them with the Reasons of his Sentiments expressed in his Speech of the 12th of *November* relative to the Robbery of the Eastern Treasury, with what appears to him in the Light of "striking Circumstances," and that he would inform them whether all the Examinations, Confessions and Evidences which have come to his Knowledge, relative to this Discovery of the Robbery of the Eastern Treasury, have been laid before the House; and, on the Question being put, it was carried as follows, *viz.*

For the Question.	For the Question.	For the Question.	Against it.
Mr. Combs,	Mr. Dey,	Mr. Hand,	Mr. Ford,
Mr. Wetherill,	Mr. Demarest,	Mr. Eldridge,	Mr. Sykes,
Mr. Moores,	Mr. Winds,	Mr. Tucker,	Mr. Gibbon,
Mr. Taylor,	Mr. Kinsey,	Mr. Mehelm,	Mr. Pettit.
Mr. Lawrence,	Mr. Hewlings,	Mr. Sheppard,	
Mr. Crane,	Mr. Paxson,	Mr. Elmer,	
Mr. Garritse,	Mr. Hinchman,	Mr. Van Horne.	
Mr. Fisher,	Mr. Price,		
Mr. Roy,	Mr. Holme,		

Ordered,

Ordered,

That Mr. *Wetherill*, Mr. *Kinsey* and Mr. *Lawrence*, be a Committee to prepare and bring in a Message to His Excellency on the Subject Matter above-mentioned.

A Petition was presented to the House from *Robert Gingles*, setting forth, That he had burnt certain *Jersey* Bills of Credit, which by Accident had become uselefs, and praying Compensation therefor; and several Affidavits relating thereto were also presented; all which were read, and on the Question,

Ordered,

That the said Petition do lie on the Table.

The House adjourned till Nine o'Clock To-morrow Morning.

Wednesday, November 17, 1773.

The House met.

The Engrossed Bill, entitled, *An Act to naturalize Lucas Van Beverboudt*, was read and compared; on the Question,

Resolved,

That the said Bill do pass.

Ordered,

That Col. *Ford* and Mr. *Van Horne*, do carry the same to the Council for Concurrence.

A Petition was presented to the House, and read; from sundry Inhabitants of *Cape-May*, praying, That no Law may pass to hinder private Persons from weaving their own Cloth, or tanning their own Leather;

Ordered,

That the same be read a second Time.

A Petition was presented to the House from divers Freeholders and others, residing in *Cape-May*, praying a Law to enable *Henry Ludlam* to erect a Toll-Bridge across *Cedar Swamp* Creek in that County, with Power to demand certain Rates in the Petition specified; the said Petition was read, and ordered a second Reading.

Two Petitions were presented to the House, and read, from a Number of the Inhabitants of *Monmouth* County, praying a Law to incorporate the Justices and Freeholders, and grant them Power to raise Money for building a Poorhouse, Workhouse and House of Correction there;

Ordered,

That the Petitions be read a second Time.

Four Petitions were presented from *Middletown*, and one from *Stafford*, in the County of *Monmouth*, praying, That no Law may pass for building a House of Correction there as prayed for by several Petitions; the same were read, and ordered second Readings.

Mr. *Wetherill*, from the Committee appointed to that Service, brought in the Draught of a Message to His Excellency; which by Order of the House was read, agreed to, and ordered to be engrossed.

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Yeas

Yeas.	Yeas.	Yeas.	Nays.
Mr. Combs,	Mr. Dey,	Mr. Eldridge,	Mr. Ford,
Mr. Wetherill,	Mr. Demarest,	Mr. Tucker,	Mr. Sykes,
Mr. Moores,	Mr. Winds,	Mr. Mehelm,	Mr. Gibbon,
Mr. Taylor,	Mr. Kinsey,	Mr. Sheppard,	Mr. Pettit.
Mr. Lawrence,	Mr. Hewlings,	Mr. Elmer,	
Mr. Crane,	Mr. Paxson,	Mr. Van Horne.	
Mr. Garritse,	Mr. Hinchman,		
Mr. Fisher,	Mr. Price,		
Mr. Roy,	Mr. Holme,		

The Engrossed Message to His Excellency was read and compared, and the same is as follows, viz.

Ordered,

THAT Mr. *Hinchman* and Mr. *Mehelm* do wait on His Excellency and inform him, That as His Excellency in his Speech to the House of the 12th Instant hath been pleased to mention, that, from the Confessions of some of the People concerned in the counterfeiting Money, “corroborated by many striking Circumstances, the Affair of “the Robbery of the Treasury which had remained so long enveloped “in Darkness has been brought to Light”—the House do humbly request, that he would be pleased to favour the House with the particular Reasons of such his Sentiments—would be pleased to point out to the House those “striking Circumstances” which he alludes to as corroborating those Confessions—and would also be pleased to inform them, Whether all the Examinations, Evidences and Confessions, which have come to his Knowledge relating to this Discovery, have been laid before the House.

HOUSE OF ASSEMBLY, }
Nov. 17, 1773.

By Order of the House,

RICHARD SMITH, Clerk.

The several Petitions for and against a Law for a Dam over *Nacut Creek*, in the County of *Gloucester*, were read the second Time.

Ordered,

That the Parties be heard before the House on *Friday* the 26th Instant at Ten o’Clock, *A. M.*—and that *Richard Westcott* do give the Parties at least four Days Notice thereof.

The Bill, entitled, *An Act to enable the Owners and Possessors of the Meadows and Marsh adjoining Rapaupa Creek, in the County of Gloucester, to erect, cast up, repair and maintain a Dam, Bank and other Waterworks, sufficient to prevent the Tide from overflowing the same*; was read the second Time, and committed to Mr. *Kinsey* and Mr. *Price*.

The Petition from *Abraham Woolman* and others, for a Law to erect Waterworks across *Mason’s Creek*, was read the second Time, together with the Notice of this Application; on the Question,

Ordered,

That the Petitioners have Leave to bring in a Bill.

The Petition from *Middlesex* for a Law respecting Line Fences, was read the second Time; on the Question,

Ordered,

Ordered,

That Mr. *Wetherill* and Mr. *Crane* do bring in a Bill for the Purpose aforesaid.

The House adjourned till Two, P. M.

The House met.

Mr. *Hinchman* reported, That Mr. *Mehelm* and Himself delivered the Message of this Morning to His Excellency.

Mr. *Paxson*, in Pursuance of the Leave granted, and in Behalf of the Petitioners, brought in a Bill, entitled, *An Act to enable sundry of the Owners and Possessors of Meadows and Tide Marsh lying on Mason's Creek in the Township of Evelham, and County of Burlington, to erect and maintain a Bank, Dam and other Waterworks across the said Creek, in order to prevent the Tide from overflowing the same; which was read, and ordered a second Reading.*

A Petition was presented to the House, and read, from *Whitton Crips*, and three others, Owners and Possessors of a Tract of Marsh and Meadow in *Lower-Penn's-Neck*, in the County of *Salem* upon *Salem Creek*, praying Leave to bring in a Bill to support the Bank, Sluices and Drains on said Creek;

Ordered,

That the Petition be read a second Time.

A Petition was presented to the House from *Daniel Hand*, Collector of the County of *Cape-May*, setting forth a Loss of £. 267: 2s. Publick Money, (the Person being robbed by whom the said Money was sent to the Treasury) and praying Relief in the Premises; the Petition was read, and ordered a second Reading.

Mr. *Hinchman* from the Committee appointed to inquire what Laws are expired or are near expiring, made the following Report, *viz.*

1. An Act for giving a Bounty upon the raising of Flax and Hemp, and planting of Mulberry Trees in this Colony, and for raising Raw Silk, will expire this Session.

2. An Act to raise a Fund for defraying Damages done by Dogs, in the Counties of *Somerſet*, *Hunterdon* and *Glouceſter*, will expire this Session.

3. An Act for the better preserving of Oysters in the Colony of *New-Jersey*, will expire this Session.

4. An Act to repair and amend the Publick Roads and Streets in the Northern Ward of the City of *Perth-Amboy*, and to repair the Town Wharf in the said City, by a Tax on the Inhabitants of the said Northern Ward, will expire this Session.

Ordered,

That Mr. *Crane*, Mr. *Taylor* and Mr. *Sheppard*, be a Committee to prepare and bring in a Bill to continue the Oyster Act.

Ordered,

That Mr. *Combs*, Mr. *Moore*s and Mr. *Eldridge*, be a Committee to prepare and bring in a Bill to continue the Law for repairing the Roads of the Northern Ward of the City of *Perth-Amboy*.

Col.

Col. *Ford* reported, That Mr. *Van Horne* and Himself delivered the Bill with them intrusted to the Speaker in Council.

A Petition was presented to the House, and read, from sundry Inhabitants of the County of *Hunterdon*, praying, That no Persons may be hindered from driving the River *Delaware*, for the Purpose of catching Fish, with Brush Swabs, as has been always in Practice; which was read, and ordered a second Reading.

The House adjourned till Nine o'Clock To-morrow Morning.

Thursday, November 18, 1773.

The House met.

Three Petitions were presented to the House from the County of *Morris*, and one from the County of *Somerset*, all setting forth the Distresses of this Province for Want of a Currency, and praying an Emission of Paper Bills of Credit to be let out on Loan; the same were read, and ordered to be read a second Time.

A Petition was presented to the House from certain Owners and Possessors of low Lands lying on both Sides of *Pequest*, and the several Branches thereof, in the County of *Suffex*, praying Leave to bring in a Bill for draining the same; the Petition was read, and ordered a second Reading.

A Petition was presented to the House, and read, from a large Number of Freeholders and Inhabitants of the County of *Somerset*, setting forth, That they perceive by the last Votes that Leave was given to bring in a Bill at this Session to prevent Farmers and others from following the Weaving Business, unless Cause was shewn to the contrary, and praying that no such Law may pass;

Ordered,

That the Petition have a second Reading.

A Petition was presented to the House from sundry Inhabitants of *Cumberland* County, praying, That no Act may be passed for building a Bridge over *Cohansey* Creek, from the main Street of *Bridge-Town* to the Publick Landing on the other Side, and another Petition was presented in favour thereof; both which were read.

The several Petitions for and against the same, referred from last Session, were now read;

The several Parties for and against the Measure attending, were called in, and their Allegations and Evidences fully heard, and the Consideration thereof was referred till the Afternoon.

A Message from His Excellency by Mr. D. Secretary *Pettit*.

A MESSAGE to the ASSEMBLY.

GENTLEMEN,

LAST Night received an Account from one *Jonathan Whilldin* of his having been robbed of Two Hundred and Seventy Pounds and upwards on the Road from *Samuel Cooper's* Ferry to *Burlington*, which Money

Money he says was intrusted to his Care by the Collector for the County of *Cape-May*, to be delivered to the Western Treasurer. His Examination on Oath I now lay before you, and as both he and the Collector are now in Town, you may, if you think proper, make a more particular Inquiry into the Affair. Should you think it expedient to enable me to offer a Reward for apprehending the Persons who may have perpetrated the Robbery, I shall immediately issue a Proclamation for the Purpose.

Nov. 17, 1773. }

WM. FRANKLIN.

Which was read, and ordered a second Reading.

The House adjourned till Two, P. M.

The House met.

The House resumed the Consideration of the several Petitions for and against a Law for building a Bridge over *Cohansey* Creek, from the main Street of *Bridge-Town* to the Publick Landing on the other Side; after some Time spent therein, on the Question,

Ordered,

That the Petitions for the Bridge do lie on the Table.

Seven Petitions were presented to the House, and read, from *Bordentown*, *Hunterdon*, *Nottingham*, *Princeton*, *Kingstown*, and two from *Mansfield*, all praying that the present Bridge over *Crosswicks* Creek, at the Place known by the Name of *Watson's* Ferry, may be continued and established;

Ordered,

That they be read again on *Thursday* the 25th of this Instant, when the Parties are appointed to be heard before the House.

The Bill, entitled, *An Act to enable sundry of the Owners and Possessors of Meadows and Tide Marsh lying on Mason's Creek, in the Township of Evelham, and County of Burlington, to erect and maintain a Bank, Dam and other Waterworks across the said Creek, in order to prevent the Tide from overflowing the same*; was read the second Time, and committed to Mr. Sykes and Mr. Hewlings.

On a Motion made by Mr. Tucker,

Ordered,

That Mr. Fisher, Mr. Price, Mr. Mehelm and Col. Ford, be a Committee to prepare and bring in a Bill to postpone for one Month the Payment of the several Taxes hereafter to be assessed in this Colony by Virtue of an Act, entitled, *An Act to settle the Quotas of the several Counties of this Colony for the levying of Taxes, and to compel the Assessors of the several Counties to return Duplicates of the next Year's Assessments into the Treasury of this Colony at or before the first Day of November next*.

His Excellency's Message of this Morning, relative to the Robbery of *Jonathan Whilldin*, was read the second Time, and Mr. Whilldin attending, was called in and fully examined, and his Examination taken in Writing and signed by him; and Mr. Daniel Hand, Collector of *Cape-*

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May,

May, was also examined; and the further Consideration thereof referred till To-morrow Morning.

Upon the Application of *Joseph Borden*, Esq. to this House,
Ordered,

That *John Pearson*, *Michael Nowlin*, *John Flock*, *Abraham Woglam* and *Joseph Skelton*, Esq. do attend this House on *Thursday* the 25th of this Instant *November*, at Ten o'Clock in the Morning, to testify what they know relative to the Matters then to be heard before the House, and that Mr. *Borden* do serve them with timely Notice thereof.

The House adjourned till Nine o'Clock To-morrow Morning.

Friday, November 19, 1773.

The House met.

Four Petitions were presented to the House, and read, from many Inhabitants of the County of *Somerset*, setting forth, That the Managers for completing *Queen's Bridge* over *Raritan River* have expended £. 328 : 4 : 2 more than was granted by Law, and praying an Act of Assembly to raise that Sum upon the County; the said Petitions were ordered to be read a second Time.

The House resumed the Consideration of His Excellency's Message of Yesterday relative to the Robbery of *Jonathan Whilldin*; after some Time spent therein, the Question was put, Whether the House will go further into the Inquiry of this Matter or not? It was carried in the Affirmative, *Nem. Con.*

Ordered,

That *Samuel Spicer*, Esq. *Joseph Cooper*, *Samuel Cooper* and his Wife, *Patrick Brady*, *Isaac Jones* and *William Neal*, do attend this House on *Monday* the 29th of this Instant *November*, at Two o'Clock *Post-meridian*, to testify what they know relative to the supposed Robbery of *Jonathan Whilldin*.

Ordered,

That the Sergeant at Arms attending this House do serve the said Witnesses with timely Notice of this Order.

Ordered,

That *Jonathan Whilldin* do then attend this House.

A Petition was presented to the House from *James Gray*, praying a Law to relieve him with Respect to Damages sustained from the Proceedings of the Managers authorized by Law to remove Obstructions in the River *Passaick*, and reciting particularly the Circumstances of his Case; the Petition was read, and ordered a second Reading.

A Petition was presented to the House from *Thomas Reading*, an Insolvent Debtor, setting forth his Case, and praying Relief; which was read, and ordered a second Reading.

Col. Ford and Mr. *Hinchman* are requested to make Inquiry at *Philadelphia*, and find out what Particulars they can with Respect to the supposed Robbery of *Jonathan Whilldin*.

Mr. *Fisher*,

Mr. *Fisher*, in Pursuance of Leave granted last Session, brought in a Bill, entitled, *An Act for lowering the Interest of Money to Six per Cent. within this Colony*; which was read, and ordered a second Reading.

A Petition was presented to the House from sundry Inhabitants of the City of *Burlington*, praying a Law to declare *Affiscunk* Creek, from the Mouth thereof up to the Company Dam, lately erected across the same, to be in all Respects equal to a lawful Fence; which Petition was read, and ordered a second Reading.

Mr. *Crane*, from the Committee appointed to that Service, brought in a Bill, entitled, *An Act for the better preserving of Oysters in the Colony of New-Jersey*; which was read, and ordered to be read a second Time.

Mr. *Combs*, from the Committee appointed for the Purpose, brought in a Bill, entitled, *An Act to repair and amend the Publick Roads and Streets in the Northern Ward of the City of Perth-Amboy, and to repair the Town Wharf in the said City, by a Tax on the Inhabitants of the said Northern Ward*; which was read, and ordered a second Reading.

By Leave of the House, Mr. *Kinsley* brought in a Bill, entitled, *An Act for returning of able and sufficient Jurors, and for the better Regulation of Juries*; which was read, and ordered a second Reading.

A Petition was presented to the House from sundry Freeholders and others, residing in the City of *Burlington*, and Parts adjacent, praying, That the Bridge over *Crosswicks* Creek, at the Place known by the Name of *Watson's Ferry*, may be established and made a Toll-Bridge; which was read, and referred to be considered at the Time appointed for a Hearing of the several Parties for and against the said Bridge.

Mr. *Roy*, in Pursuance of Leave granted at last Session, brought in a Bill, entitled, *An Act for more effectually suppressing Vice and Immorality*; which was read, and ordered a second Reading.

The House adjourned till Two, P. M.

The House met.

A Petition was presented to the House from sundry Inhabitants of the City and County of *Burlington*, another was presented from sundry Inhabitants of the Counties of *Monmouth* and *Burlington*, a third was presented from other Inhabitants of *Burlington* County, and a fourth from a Number of the Inhabitants of the County of *Cumberland*—all setting forth the Mischiefs arising from personal Slavery, and praying an Alteration of the present Laws regarding Slaves; which several Petitions were read, and ordered a second Reading.

The Petition from *Thomas Reading* for a Law to relieve him, and the Petition of *Ebenezer Cowell* against it, were read the second Time;

Ordered,

That the Parties do attend this House on *Friday* the 26th Instant, at 10 o'Clock, A. M. either by themselves or their Attornies; and that *Thomas Reading* do serve *Ebenezer Cowell* with a Copy of this Order in due Time for his Appearance.

The Petition from *Hunterdon*, praying Leave to catch Fish in the River *Delaware* by driving the same with Brush Swabs, was read the second

second Time, and the Petition to the same Purpose referred from last Session, was also read ; after some Debate,

Ordered,

That the Petitioners have Leave to bring in a Bill at the next Session of General Assembly for doing publick Business, provided they give publick Notice thereof in the *Pennsylvania Gazette* at least Six Weeks before the Session, and no reasonable Objections shall then appear against the same.

The Petition from the Owners and Possessors of Tide Marsh and Swamp, lying on the South West Side of *Raccoon Creek* in the County of *Gloucester*, for a Bill to erect Waterworks there ; was read the second Time ; and it appearing that due publick Notice of this Application has been given,

Ordered,

That the Petitioners have Leave to bring in a Bill :

Whereupon Mr. *Hinchman* in their Behalf brought in a Bill, entitled, *An Act to enable the Owners and Possessors of Marshes, Meadows and Swamps, bounding on the South West Side of Raccoon Creek, between the Banks of Constantine Wilkins and Conrad Shoemaker, in the Township of Woolwich, and County of Gloucester, Part thereof is known by the Name of the Thoroughfare Island, to stop out the Tide from overflowing the same ;* which was read, and ordered a second Reading.

The Petition from the Owners and Possessors of Marsh and Swamp in *Upper-Penn's-Neck* in the County of *Salem*, praying a Law to erect Waterworks to prevent the Tide from overflowing the same ; was read the second Time ; and it appearing that due publick Notice of this Application has been given,

Ordered,

That the Petitioners have Leave to bring in a Bill :

Whereupon Mr. *Gibbon* in their Behalf brought in a Bill, entitled, *An Act to enable the Owners and Possessors of a Tract of Marsh and Swamp in Upper-Penn's-Neck in the County of Salem, to erect and maintain a Bank, Dam and other Waterworks, in order to prevent the Tide from overflowing the same ;* which was read, and ordered a second Reading.

The Petition from *Whitton Crips* and others, Owners and Possessors of a Tract of Marsh and Meadow on *Salem Creek*, in *Lower-Penn's-Neck* in the County of *Salem*, praying a Law to maintain the Bank and Works there ; was read the second Time ; and it appearing that due publick Notice of this Application has been given,

Ordered,

That they have Leave to bring in a Bill accordingly :

Whereupon Mr. *Hinchman* in their Behalf brought in a Bill, entitled, *An Act to enable the Owners and Possessors of a Tract of Marsh and Meadow in Lower-Penn's-Neck in the County of Salem, to uphold and maintain a certain Bank for draining the said Marsh, and for other Purposes therein mentioned ;* which was read, and ordered a second Reading.

The Petition from *Daniel Hand*, Collector of the County of *Cape-May*, for a Law for his Relief, was read the second Time ;

Ordered,

Ordered,

That the Consideration thereof be referred till *Monday* the 29th of this Instant.

The House adjourned till To-morrow Morning Nine o'Clock.

Saturday, November 20, 1773.

The House met.

The Petition from the Owners and Possessors of low Lands lying on both Sides of *Pequest*, and the several Branches thereof, in the County of *Suffex*, for a Law to drain the same; was read the second Time; and it appearing that due publick Notice of this Application hath been given,

Ordered,

That the Petitioners have Leave to bring in a Bill.

The Bill, entitled, *An Act for lowering the Interest of Money to Six per Cent within this Colony*; was read the second Time, amended in the House, and upon the Question agreed to *Nem. Con.* and ordered to be engrossed.

A Petition was presented to the House, and read, from divers Inhabitants of the Township of *Maidenhead*, in the County of *Hunterdon*, praying, That the Bridge over *Croffwicks* Creek, at the Place known by the Name of *Watson's* Ferry, may be established and erected into a Toll-Bridge;

Ordered,

That the same be read again on *Thursday* the 25th Instant.

Mr. *Sykes*, from the Committee to whom the Bill, entitled, *An Act to enable sundry of the Owners and Possessors of Meadows and Tide Marsh lying on Mafon's Creek in the Township of Evegham, and County of Burlington, to erect and maintain a Bank, Dam and other Waterworks across the said Creek, in order to prevent the Tide from overflowing the same*, was committed, reported the same with several Amendments thereto; and the Bill was read with the Amendments in their Places, and, the Bill being further amended in the House, upon the Question,

Ordered,

That the Bill as amended be engrossed.

The House adjourned till *Monday* Morning Nine o'Clock.

Monday, November 22, 1773.

The House met.

The Engrossed Bill, entitled, *An Act for lowering the Interest of Money to Six per Cent within this Colony*, was read and compared; on the Question,

Resolved,

That the same do pass.

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The Engrossed Bill, entitled, *An Act to enable sundry of the Owners and Possessors of Meadows and Tide Marsh lying on Mafon's Creek in the Township of Evesham, and County of Burlington, to erect and maintain a Bank, Dam and other Waterworks across the said Creek, in order to prevent the Tide from overflowing the same* ; was read and compared ; on the Question,

Resolved,

That the same do pass.

Ordered,

That Mr. Fisher and Mr. Wetherill do carry the said two Bills to the Council for Concurrence.

The Bill, entitled, *An Act to enable the Owners and Possessors of Marshes, Meadows and Swamps bounding on the South West Side of Raccoon Creek, between the Banks of Constantine Wilkins and Conrad Shoemaker, in the Township of Woolwich, in the County of Gloucester, Part thereof is known by the Name of the Thoroughfare Island, to stop out the Tide from overflowing the same* ; was read the second Time, and committed to Mr. Gibbon and Mr. Holme.

The Petition from Cape-May, praying, That a Toll-Drawbridge may be erected across Cedar Swamp Creek in that County, was read the second Time ;

Ordered,

That the Petitioners have Leave to bring in a Bill at next Session of Assembly, provided they give publick Notice thereof in the *Pennsylvania Gazette* at least Six Weeks before the said Session, and no reasonable Objection shall then appear against the same.

The Bill, entitled, *An Act to enable the Owners and Possessors of a Tract of Marsh and Swamp in Upper-Penn's-Neck, in the County of Salem, to erect and maintain a Bank, Dam and other Waterworks, in order to prevent the Tide from overflowing the same* ; was read the second Time, amended in the House, and, upon the Question, agreed to, and ordered to be engrossed.

A Petition was presented to the House from a large Number of the Inhabitants of the Counties of *Essex* and *Middlesex*, setting forth the Mischiefs arising from the Practice of personal Slavery, and praying an Alteration of the present Laws regarding Slaves ; which was read, and ordered a second Reading.

The Bill, entitled, *An Act to enable the Owners and Possessors of a Tract of Marsh and Meadow in Lower-Penn's-Neck, in the County of Salem, to uphold and maintain a certain Bank for draining the said Marsh, and for other Purposes therein mentioned* ; was read the second Time, amended in the House, and, upon the Question, agreed to, and ordered to be engrossed.

The Petitions from *Somerset* for raising the Sum of £. 328 : 4 : 2 for completing *Queen's-Bridge* over *Raritan River*, were read the second Time ;

Ordered,

That Leave be given for bringing in a Bill for the Purpose at the next

next Session of General Assembly, upon Notice being given in *Gaine's New-York News-Paper* at least Six Weeks before the said Session, and no reasonable Objection then appearing against the same.

The House adjourned till Two, P. M.

The House met.

The Engrossed Bill, entitled, *An Act to enable the Owners and Possessors of a Tract of Marsh and Meadow in Lower-Penn's-Neck, in the County of Salem, to uphold and maintain a certain Bank for draining the said Marsh, and for other Purposes therein mentioned*; was read and compared; on the Question,

Resolved,

That the same do pass.

Ordered,

That Mr. Gibbon and Mr. Eldridge do carry the same to the Council for Concurrence.

Mr. Fisher reported, That Mr. Wetherill and Himself delivered the two Bills with them intrusted to the Speaker of the Council.

The Bill, entitled, *An Act for returning of able and sufficient Jurors, and for the better Regulation of Juries*, was read the second Time, and committed to Mr. Crane, Mr. Price and Mr. Tucker.

The several Petitions from Monmouth County for and against building a Poorhouse and House of Correction there, were read the second Time; the Question was put, Whether the Consideration thereof be referred till next Session, or that Leave be given to bring in a Bill then, upon giving the usual Notice? It was carried for the former;

Ordered,

That the Consideration thereof be referred till next Session.

The Bill, entitled, *An Act for more effectually suppressing Vice and Immorality*, was read the second Time, and committed to Mr. Tucker, Mr. Lawrence and Mr. Gibbon.

The House adjourned till Nine o'Clock To-morrow Morning.

Tuesday, November 23, 1773.

The House met.

A Petition was presented to the House, and read, from sundry Freeholders of the City of *Burlington*, setting forth the distressed State of Slavery, and praying a Revision and Amendment of the present Laws respecting Slaves;

Ordered,

That the Petition have a second Reading.

Mr. Gibbon reported, That Mr. Eldridge and Himself delivered the Bill with them intrusted to the Speaker in Council.

The Engrossed Bill, entitled, *An Act to enable the Owners and Possessors of a Tract of Marsh and Swamp in Upper-Penn's-Neck, in the County of Salem, to erect and maintain a Bank, Dam and other Waterworks, in order*

to

to prevent the Tide from overflowing the same ; was read and compared ; on the Question,

Resolved,

That the same do pass.

Ordered,

That Mr. *Holme* and Mr. *Elmer* do carry the said Bill to the Council for Concurrence.

A Petition was presented to the House, and read, from sundry Inhabitants of the City of *Burlington*, praying, That *Affiscunk* Creek may not be made a lawful Fence, as prayed for by other Petitioners this Session ;

Ordered,

That the Petition be read a second Time.

Mr. *Crane*, from the Committee to whom the Bill, entitled, *An Act for the better Regulation of Juries*, was committed, reported the same with one Amendment ; the Bill was read with the Amendment in its Place ; and the Bill being further amended in the House, on the Question, the same, as amended, was agreed to, and ordered to be engrossed.

Ordered,

That Mr. *Wetherill*, Mr. *Crane*, Mr. *Sykes*, Mr. *Tucker*, Mr. *Demaress*, Mr. *Hinchman* and Mr. *Sheppard*, or any three of them, be a Committee to join a Committee of the Council, to adjust the Western Treasurer's Accounts, and burn the cancelled Money in his Hands, and make Report to the House.

Ordered,

That the same Committee, or any three of them, do, in Conjunction with a Committee of the Council, settle all publick Lottery Accounts that may come before the House this Session.

Ordered,

That Mr. *Dey* and Mr. *Roy* do inform the Council thereof, and desire the Council to appoint a Committee to join the Committee of this House, together with the Time and Place of Meeting.

Ordered,

That Mr. *Fisher*, Mr. *Price*, Mr. *Taylor*, Mr. *Mehelm* and Mr. *Hewlings*, or any three of them, be a Committee to settle all publick Accounts that may come before the House this Session, and make Report to the House.

The Bill, entitled, *An Act for the better preserving of Oysters in the Colony of New-Jersey*, was read the second Time, amended in the House, and, upon the Question, agreed to, and ordered to be engrossed.

A Petition was presented to the House from sundry Freeholders and Inhabitants of *Monmouth* County, setting forth the distressed State of Slaves, and praying a Revival and Amendment of the Laws which relate to Slaves ; the Petition was read, and ordered a second Reading.

Mr. *Dey* reported, That Mr. *Roy* and Himself delivered the Message with them intrusted to the Speaker in Council.

The House adjourned till Two, P. M.

The

The House met.

Mr. *Holme* reported, That Mr. *Elmer* and Himself delivered the Bill with them intrusted to the Speaker in Council.

Four Petitions were presented to the House, and read, from the County of *Somerset*, praying a Law to raise a Sum of Money on that County, for building a Bridge over *Raritan*, near Mr. *Dirck Van Veghte's*; all which were ordered to be read a second Time.

A Petition was presented to the House from sundry Inhabitants of *Somerset* and *Morris*, praying, That no Law may pass to hinder private Persons from weaving their own Cloth; which was read, and ordered to be read a second Time.

A Petition from the Township of *Barnard*, in the County of *Somerset*, was presented, praying a Law to enable the Inhabitants of that Township to repair their Highways by Tax; which was read, and ordered a second Reading.

A Petition was presented to the House from divers Inhabitants of the Counties of *Middlesex* and *Somerset*, praying, That the Managers for completing the Bridge over *Raritan* at *Raritan* Landing, may be reimbursed Monies laid out on that Bridge more than was allowed by Law; the same was read, and ordered a second Reading.

A Petition was presented to the House from sundry Inhabitants of the County of *Gloucester*, praying an Alteration of the present Laws concerning the Manumission of Slaves; which was read, and ordered to be read a second Time.

A Petition from sundry Inhabitants of the County of *Gloucester* was presented, setting forth the Mischiefs happening from the Practice of Foxhunting, and praying Redress; which was read, and ordered a second Reading.

A MESSAGE from the Council by Mr. *Coxe*, desiring the Concurrence of this House to sundry Amendments made to the Bill, entitled, *An Act to naturalize Lucas Van Beverhoudt*;

Whereupon the said Bill was read with the Amendments in their Places; and upon the Question, the Amendments were agreed to;

Ordered,

That the Bill be re-engrossed with the Council's Amendments.

On a Motion made;

Ordered,

That Mr. *Wetherill*, Mr. *Fisber* and Mr. *Kinsley*, be a Committee to prepare and bring in a Bill to prohibit the erecting of Lotteries, Horse-racing and Cockfighting, and to restrain Shooting-Matches—and Mr. Speaker is desired to assist the Committee.

The Engrossed Bill, entitled, *An Act for the better preserving of Oysters in the Colony of New-Jersey*, was read and compared; on the Question,

Resolved,

That the same do pass.

G

Ordered,

Ordered,

That Mr. *Taylor* and Mr. *Combs* do carry the Bill to the Council for Concurrence.

The House adjourned till Nine o'Clock To-morrow Morning.

Wednesday, November 24, 1773.

The House met.

A Petition was presented to the House from a Number of the principal Freeholders in the County of *Gloucester*, setting forth the calamitous Condition of Slavery, and praying for an Alteration of the Laws for manumitting of Slaves; the same was read, and ordered a second Reading.

The Bill Re-engrossed, with the Council's Amendments, entitled, *An Act to naturalize Lucas Van Beverhoudt*; was read and compared;

Ordered,

That Mr. Speaker do sign the same.

Ordered,

That Mr. *Winds* and Mr. *Pettit* do carry the said Bill to the Council.

The Engrossed Bill, entitled, *An Act for the better Regulation of Juries*, was read and compared; on the Question,

Resolved, Nem. Con.

That the same do pass.

Ordered,

That Mr. *Fisher* and Mr. *Wetherill* do carry the said Bill to the Council for Concurrence.

Mr. *Taylor* reported, That Mr. *Combs* and Himself delivered the Bill with them intrusted to the Speaker in Council.

Mr. *Wetherill*, from the Committee appointed for that Purpose, brought in a Bill, entitled, *A Supplementary Act to an Act, entitled, An Act for regulating Fences*; which was read, and ordered a second Reading.

Mr. *Winds* reported, That Mr. *Pettit* and Himself delivered the Bill with them intrusted to the Speaker in Council.

The several Petitions presented this Session, praying that private Persons may not be debarred from weaving their own Cloth, were read the second Time;

Ordered,

That the further Consideration thereof be deferred.

The Petition from the County of *Gloucester*, praying a Law to suppress the Practice of Foxhunting in that County, was read the second Time; after some Debate the Question was put, Whether the Prayer of the Petitioners be granted or not? It passed in the Affirmative;

Ordered,

That the Members for the County of *Gloucester* do bring in a Bill accordingly.

The House adjourned till Two, P. M.

The

The House met.

Mr. *Fisher* reported, That Mr. *Wetherill* and Himself delivered the Bill with them intrusted to the Speaker in Council.

The Bill, entitled, *An Act for the Relief of Abner Hetfield, an Insolvent Debtor*, was read the second Time, amended in the House, and, upon the Question, agreed to, and ordered to be engrossed.

In Pursuance of Leave granted at last Session Mr. *Moores* in Behalf of the Petitioner brought in a Bill, entitled, *An Act for the Relief of Jacob Kemper, an Insolvent Debtor*; which was read, and ordered a second Reading.

The Petition from *Cape-May*, praying, That private Persons may not be prohibited from tanning their own Leather, was read the second Time, and the Consideration thereof deferred.

The Petition from *Robert Doughty* and others, praying a Law for erecting a Bank across *Absecom* Creek, in the County of *Gloucester*, was read the second Time; and as it does not appear to the House that public Notice has been given of this Application;

Ordered,

That the Consideration thereof be referred to the next Session of Assembly, and that the Petitioners do give Notice of their Intention in the *Pennsylvania Gazette* at least Six Weeks before the Session.

The House adjourned till Nine o'Clock To-morrow Morning.

Thursday, November 25, 1773.

The House met.

The Engrossed Bill, entitled, *An Act for the Relief of Abner Hetfield, an Insolvent Debtor*, was read and compared; on the Question,

Resolved,

That the same do pass.

Ordered,

That Mr. *Mehelm* and Mr. *Gibbon* do carry the said Bill to the Council for Concurrence.

Mr. *Mehelm* reported, That Mr. *Gibbon* and Himself delivered the Bill with them intrusted to Mr. *Stockton*, one of the Gentlemen of the Council, the Council not sitting.

According to Order, the Parties for and against a Law for erecting *Croftwicks* Creek Bridge into a Toll-Bridge attending, were called in, and several Petitions for and against the Measure being read, the further Consideration of the Matter was referred till the Afternoon.

Mr. *Fisher*, from the Committee appointed for that Service, brought in a Bill, entitled, *An Act to postpone for one Month the Payment of the several Taxes hereafter to be assessed in this Colony, by Virtue of an Act, entitled, An Act to settle the Quotas of the several Counties of this Colony for the levying Taxes, and to compel the Assessors of the several Counties to return Duplicates of the next Year's Assessments into the Treasury at or before the*

the first Day of November next ; which was read, and ordered a second Reading.

The House adjourned till Two, P. M.

The House met.

A MESSAGE from the Council by Mr. Skinner, informing the House, That the Council have passed the Bill, entitled, *An Act to enable sundry of the Owners and Possessors of Meadows and Tide Marsh lying on Mason's Creek, in the Township of Evelham, and County of Burlington, to erect and maintain a Bank, Dam and other Waterworks across the said Creek, in order to prevent the Tide from overflowing the same.*

The Bill, entitled, *An Act to enable the Owners and Possessors of a Tract of Marsh and Meadow in Lower-Penn's-Neck, in the County of Salem, to uphold and maintain a certain Bank for draining the said Marsh, and for other Purposes therein mentioned.*

The Bill, entitled, *An Act to enable the Owners and Possessors of a Tract of Marsh and Swamp in Upper-Penn's-Neck, in the County of Salem, to erect and maintain a Bank, Dam and other Waterworks, in order to prevent the Tide from overflowing the same :*

And the Bill, entitled, *An Act for the better preserving of Oysters in the Colony of New-Jersey, without any Amendments.*

The House resumed the Consideration of the several Petitions concerning the Bridge over *Crosswicks* Creek, and the Parties attending, were called in, and the Witnesses produced by the Petitioners for the Bridge were examined, having been first duly qualified, namely, *William Worth, John Flock, Michael Nowlin, Abraham Woglam, John Pearson, and Joseph Chambers*, sworn ; and *Benjamin Gibbs, John Thorn, Timothy Bunting and Joseph Skelton*, Esq. being of the People called Quakers, affirmed—then the further Consideration thereof was referred till To-morrow Morning.

The House adjourned till Nine o'Clock To-morrow Morning.

Friday, November 26, 1773.

The House met.

The Bill, entitled, *An Act to repair and amend the publick Roads and Streets in the Northern Ward of the City of Perth-Amboy, and to repair the Town Wharf in the said City by a Tax on the Inhabitants of the said Northern Ward, and for other Uses and Purposes therein mentioned ;* was read the second Time, amended in the House, and upon the Question, agreed to, and ordered to be engrossed.

According to Order, the House resumed the Consideration of the Controversy about *Crosswicks* Creek Bridge, and the Parties attending, were called in, and the Witnesses produced by the Petitioners for abolishing the Bridge, were examined, having been first duly qualified, namely, *Charles Vandyke, Aaron Quigley and John Taylor*, sworn ; and *Thomas Marle, George Playter and Samuel Stevenson*, being of the People called

called Quakers, affirmed—the Determination of the Matter was deferred till the Afternoon.

The House adjourned till Two, P. M.

The House met.

A Petition was presented to the House from *Jacob Chestnutwood*, setting forth, That he was born within the Dominions of foreign Powers in Amity with *Great-Britain*, has resided upwards of Twenty Years in this Colony, and is desirous of being naturalized; the same was read, and ordered a second Reading.

A Petition was presented from sundry Freeholders and Inhabitants of the County of *Burlington*, setting forth the hard Condition of the Slaves in this Country, and praying an Alteration of the Laws in Favour of Slaves; the Petition was read, and ordered a second Reading.

A Petition was presented to the House from *Ebenezer Corwell*, setting forth the State of his Controversy with *Thomas Reading*, and praying that no Act may pass in Favour of the said *Thomas Reading* as he has petitioned for; the same was read, and ordered a second Reading.

According to Order, the House resumed the Consideration of the Evidence for and against the Continuance of the Drawbridge over *Croff-wicks* Creek, at the Place known by the Name of *Watson's Ferry*; after some Debate the Question was put, Whether the said Bridge shall be continued or not? It was carried in the Affirmative as follows, viz.

Yeas.	Yeas.	Yeas.	Nays.
Mr. Combs,	Mr. Dey,	Mr. Eldridge,	Mr. Lawrence,
Mr. Wetherill,	Mr. Demarest,	Mr. Tucker,	Mr. Hewlings,
Mr. Moores,	Col. Ford,	Mr. Mehelm,	Mr. Paxson,
Mr. Taylor,	Mr. Winds,	Mr. Elmer,	Mr. Sykes,
Mr. Crane,	Mr. Kinsey,	Mr. Van Horne,	Mr. Hinchman,
Mr. Garritse,	Mr. Gibbon,	Mr. Pettit.	Mr. Price,
Mr. Fisher,	Mr. Holme,		Mr. Sheppard.
Mr. Roy,	Mr. Hand,		

Then the Question was put, Whether the Bridge shall be maintained by Toll, or be a free Bridge? It passed for the latter.

Yeas.	Yeas.	Nays.	Nays.
Mr. Combs,	Mr. Ford,	Mr. Wetherill,	Mr. Hinchman,
Mr. Moores,	Mr. Winds,	Mr. Taylor,	Mr. Price,
Mr. Crane,	Mr. Holme,	Mr. Lawrence,	Mr. Gibbon,
Mr. Garritse,	Mr. Tucker,	Mr. Kinsey,	Mr. Hand,
Mr. Fisher,	Mr. Mehelm,	Mr. Hewlings,	Mr. Eldridge,
Mr. Roy,	Mr. Elmer,	Mr. Paxson,	Mr. Sheppard,
Mr. Dey,	Mr. Pettit.	Mr. Sykes,	Mr. Van Horne.
Mr. Demarest,			

And thereupon the Question was put, Whether the said Bridge shall be rebuilt and repaired at the Charge of the County of *Burlington*, or of the Townships of *Nottingham* and *Chesterfield*? It was carried for a Charge on the County.

H

Yeas

Yeas.	Yeas.	Yeas.	Nays.
Mr. Combs,	Mr. Dey,	Mr. Gibbon,	Mr. Hinchman,
Mr. Wetherill,	Mr. Demarest,	Mr. Hand,	Mr. Holme.
Mr. Moores,	Col. Ford,	Mr. Eldridge,	
Mr. Taylor,	Mr. Winds,	Mr. Tucker,	
Mr. Lawrence,	Mr. Kinsey,	Mr. Mehelm,	
Mr. Crane,	Mr. Hewlings,	Mr. Sheppard,	
Mr. Garritse,	Mr. Paxson,	Mr. Elmer,	
Mr. Fisher,	Mr. Sykes,	Mr. Van Horne,	
Mr. Roy,	Mr. Price,	Mr. Pettit.	

Ordered,

That Col. Ford and Mr. Mehelm do bring in a Bill accordingly.

Mr. Van Horne had Leave of Absence, upon urgent Business, until Wednesday Morning next.

Mr. Price had Leave of Absence, upon urgent Business, until Monday Morning next.

Mr. Crane had Leave of Absence, upon urgent Business, until Wednesday Morning next.

According to Order, the several Petitioners for and against a Law for the Erection of a Dam over Nacut Creek, in the County of Gloucester, attending, were called in, and their several Allegations and written Evidences fully heard; upon the Question,

Ordered,

That the Parties for a Dam have Leave to bring in a Bill.

The House adjourned till To-morrow Morning Nine o'Clock.

Saturday, November 27, 1773.

The House met.

The Engrossed Bill, entitled, *An Act to repair and amend the publick Roads and Streets in the Northern Ward of the City of Perth-Amboy, and to repair the Town Wharf in the said City by a Tax on the Inhabitants of the said Northern Ward, and for other Uses and Purposes therein mentioned*; was read and compared; on the Question,

Resolved,

That the same do pass.

Yeas.	Yeas.	Nays.	Nays.
Mr. Combs,	Mr. Winds,	Mr. Wetherill,	Mr. Hinchman,
Mr. Moores,	Mr. Hewlings,	Mr. Lawrence,	Mr. Holme,
Mr. Garritse,	Mr. Gibbon,	Mr. Kinsey,	Mr. Sheppard,
Mr. Fisher,	Mr. Hand,	Mr. Paxson,	Mr. Elmer.
Mr. Roy,	Mr. Eldridge,	Mr. Sykes,	
Mr. Dey,	Mr. Tucker,		
Mr. Demarest,	Mr. Mehelm,		
Col. Ford,	Mr. Pettit.		

Ordered,

That Mr. Combs and Mr. Eldridge do carry the said Bill to the Council for Concurrence.

A Message

A MESSAGE from the Council by Mr. *Stockton* acquainting the House, That the Council have passed the Bill, entitled, *An Act for the Relief of Abner Hetfield, an Insolvent Debtor*, without any Amendment.

The House resumed the Consideration of the Prayer of *Thomas Reading* for Relief, and of the Petition from *Ebenezer Cowell* against it; which by Order of the House was to have been heard Yesterday, but on Account of other Business was postponed till To-day, and both Parties now attending, were called in, and their several Allegations, written Evidences, and one Witness, fully heard, the Witness having been first qualified, namely *John Gregg*, being of the People called *Quakers*, affirmed, produced by *Thomas Reading*.

On the Question, Whether the Petitioner *Reading* have Leave to bring in a Bill or not? It passed in the Negative.

Yeas.	Yeas.	Nays.	Nays.
Mr. <i>Combs</i> ,	Mr. <i>Sykes</i> ,	Mr. <i>Wetherill</i> ,	Mr. <i>Kinsey</i> ,
Mr. <i>Fisher</i> ,	Mr. <i>Hinchman</i> ,	Mr. <i>Moore</i> ,	Mr. <i>Herolings</i> ,
Mr. <i>Roy</i> ,	Mr. <i>Tucker</i> ,	Mr. <i>Lawrence</i> ,	Mr. <i>Gibbon</i> ,
Mr. <i>Dey</i> ,	Mr. <i>Mebelm</i> ,	Mr. <i>Garritse</i> ,	Mr. <i>Holme</i> ,
Mr. <i>Paxson</i> ,	Mr. <i>Pettit</i> .	Mr. <i>Demarest</i> ,	Mr. <i>Hand</i> ,
		Col. <i>Ford</i> ,	Mr. <i>Eldridge</i> ,
		Mr. <i>Winds</i> ,	Mr. <i>Sheppard</i> ,
			Mr. <i>Elmer</i> .

Ordered,

That the Petition of *Thomas Reading* do lie on the Table.

The House adjourned till Monday Morning Ten o'Clock.

Monday, November 29, 1773.

The House met.

The Petition from *Jacob Chesnutwood*, a Foreigner, praying an Act for his Naturalization, was read the second Time, together with a Certificate of his having taken the solemn Affirmation, and made and subscribed the Declaration by Law appointed;

Ordered,

That he have Leave to bring in a Bill.

The Bill, entitled, *An Act to postpone for one Month the Payment of the several Taxes hereafter to be assessed in this Colony by Virtue of an Act, entitled, An Act to settle the Quotas of the several Counties of this Colony for the levying Taxes, and to compel the Assessors of the several Counties to return Duplicates of the next Year's Assessments into the Treasury at or before the first Day of November next*, was read the second Time, and committed to Mr. *Paxson*, Mr. *Lawrence* and Mr. *Sheppard*.

Ordered,

That Mr. *Fisher*, Mr. *Lawrence*, Mr. *Hinchman*, Mr. *Paxson* and Mr. *Mebelm*, be a Committee to prepare and bring in a Bill for regulating Roads and Bridges.

The

The Bill, entitled, *A Supplementary Act to an Act, entitled, An Act for regulating Fences*, was read the second Time, and committed to Mr. Lawrence, Mr. Moores and Mr. Winds.

In Pursuance of the Leave granted Mr. Hinchman, in Behalf of the Petitioners, brought in a Bill, entitled, *An Act for erecting a Dam, Mills and other Waterworks on Nacut Creek, in the County of Gloucester, and to indemnify those whose Property may be injured thereby*; which was read, and ordered to be read a second Time.

The Petition from John Jackson Sutton and others, for the Removal of the Bank over *English's Creek*, in the County of Burlington, lower down the said Creek, was read the second Time;

Ordered,

That the Petitioners have Leave to bring in a Bill.

The Petition from Joseph Rue for Relief, and the Petition of George Cook against it, were read the second Time; on the Question,

Ordered,

That the Consideration thereof be referred to the next Session at Perth-Amboy.

A Message from His Excellency by Mr. Deputy Secretary Pettit.

A MESSAGE to the ASSEMBLY.

GENTLEMEN,

AFTER so full a Communication of the Papers relative to the Robbery of the Treasury had been made to you at the Opening of the Session, I did not imagine you could possibly have been at any Loss to discover my Reasons for mentioning that Affair as being brought to Light. However, as you have thought proper to request that I would give you the "particular Reasons" on which my Sentiments are founded, I shall, as I would willingly oblige you in every Thing in my Power, take the Pains to extract from those Papers such Parts as have more immediate Relation to the Subject, and acquaint you with such Circumstances as have induced me to adopt and still retain the Opinion I expressed to you with Regard to that Matter. This I should have done sooner had I not been prevented by Indisposition.

The first Intimation of the Affair was given by David Reynolds, in his Confession on Oath before the Honourable Judge Ogden, on the 17th of August 1773, and is as follows, viz.—"Samuel Ford said he had had good Luck and would let him [Reynolds] have a Hundred Pounds or what Money he wanted. This Examinant asked him how he got it? he replied, have you not heard that the Treasury was robbed? I have got hold of one End of it; so took this Examinant along the Lane over a Bridge and from under a Log, he pulled out a large Paper of Money and shewed several Twelve and Fifteen Shilling Bills, and put the Money in his Pocket," &c.—"They then went to the House, and this Examinant asked him for the Money, but Ford said he would bring it to this Examinant's House. And in a few Days the said Samuel Ford came to this Examinant's House and gave this Examinant One Hundred

“ Hundred and Ten Pounds or thereabouts ; that *Samuel Ford* said it was
 “ *Treasury Money*. The greatest Part of it appeared old, and only
 “ about Fifteen Pounds of it new. That he took this Examinant's Bond
 “ for the same.”

On the 17th of *September*, the Morning of his Execution, he made this further Confession on Oath, before *Samuel Ogden* and *Samuel Tutbill*, Esquires, viz. “ That when *Samuel Ford* came to the House of this
 “ Examinant about three and a Half Years ago and brought him the Sum of £. 110, as mentioned in this Examinant's former Confession
 “ taken the 17th Day of *August* last,” &c. “ the said *Ford* pretending to
 “ be unwell went up Stairs where this Examinant hearing the said *Ford*
 “ walk the Room followed him, and looking through the Key-hole saw
 “ *Ford* stand near a Walnut Table cutting Bills out of a Sheet ; that
 “ thereupon this Examinant opened the Door and when he had entered
 “ the Room he saw a Sheet consisting of three Bills of the Likeness of the
 “ Paper Currency of *New-Jersey* lying on the Table (*to wit*) one Bill
 “ of Thirty Shillings at the Top, one ditto of Fifteen Shillings next be-
 “ low, and last of all one Bill of Twelve Shillings ; that this Examinant
 “ enquired of *Ford* where he got this new Money, to which *Ford* an-
 “ swered it is *Treasury Money*, and I have got hold of one End of the
 “ *Treasury*, and have the Number of every one of the Bills that were
 “ taken out of the Treasury. And this Examinant further saith that
 “ he believes the Bills so given him in Sheets were true Bills of Credit of
 “ this Province of *New-Jersey*, and, from all that passed between this
 “ Examinant and said *Ford*, this Examinant thinks and verily believes
 “ that said Bills were Part of the Bills of Credit of this Province of which
 “ the Treasury of this Province was robbed in the Year 1768. And this
 “ Examinant further saith that one of the new Bills which this Exami-
 “ nant received of said *Ford* of the Denomination of 15s. and of
 “ the Likeness of the said Fifteen Shilling Bill so cut out of the Sheet as
 “ above-mentioned was delivered to *Thomas Anderson*, Esq. of *Suffex* by
 “ this Examinant, who, as this Examinant believes, carried the said Bill
 “ to *Burlington*, where said *Anderson* informed this Examinant he had
 “ it examined and that it was approved of and judged to be good, and that
 “ said *Anderson* brought this Examinant back for said Bill two Dollars.
 “ And this Examinant further saith that he doth not know nor believe
 “ that *Samuel Ford* had Materials sufficient to counterfeit Money from the
 “ Time of his being apprehended at *New-York* in 1769 until he went
 “ to *England* in 1771. And this Examinant further saith that he re-
 “ ceived said £. 110 in Gold, Half Johannes, Silver and *Pennsylvania*
 “ Money about £. 86, in *York* Money about £. 6, and in *Jersey* new
 “ Bills about £. 18.

Now the Circumstances which, in my Opinion, corroborate the Testimony of *Reynolds* in this Respect, are,

1. His first Confession is a mere Narrative of his Transactions with *Ford* and the rest of his Gang from the Beginning of his Connection with them, and what he has said respecting the Treasury came quite voluntarily from him without his being asked any Question concerning it, or so much as a single Word being said on that Subject, and without

any one present having the least Expectation that he meant to say any Thing but what related to the Counterfeiting of Paper Currency, the Matter for which he was apprehended.—Of this the amplest Testimony can be given if thought necessary.

2. His second Confession was made a little Time before he was led out to Execution, and after he had been previously prepared for, and was well assured he had nothing to expect but Death.

3. Both his Confessions appear evidently to have been made with an Intention of revealing all he knew, and thereby making all the Atonement in his Power to the Publick he had injured; for from the first of his being taken he gave up all Hopes of saving his Life, and when he was informed in Gaol that there was an Intention of attempting his Rescue, he declared he did not desire it, being conscious that he had repeatedly deserved Death for the Crimes he had committed.

4. His Confessions have accordingly been found consistent with Truth in such Particulars as we have yet been able to discover, even to several minute Circumstances.—And the Bond, dated *January 16, 1770*, has been produced and laid before your House for the £. 110 he had borrowed from *Ford*, as mentioned in his first Confession, on which are Receipts for the several Sums paid in Discharge thereof.

5. Several Weeks after his Execution it being reported that he had, during his Confinement, likewise made a Confession to the Reverend Mr. *Johnes* a Presbyterian Minister respecting the Robbery of the Treasury, the Honourable Judge *Ogden* applied to that Gentleman to know the Truth of that Report, and received from him the following Certificate, viz.

“ It fell to my Province as a Clergyman to visit the unhappy Prisoners under Sentence of Condemnation in *Morris County Gaol*, and in the Course of my Conversation was led more than once to interrogate *David Reynolds* respecting the Robbery of the Treasury; he told me at my first questioning, that he wanted some Money and applied to *Samuel Ford* to recommend him to Col. *Ford* of whom he hoped to obtain it, and *Samuel Ford* told him there was no Need of that, and shewed him a large Quantity of Money hid under a certain Log; and upon said *Reynold's* Inquiry into the Matter, says *Ford*, have you not heard of the Robbery of the Treasury? Yes says *Reynolds*; well says *Ford*, I had hold of one End of it, but did not let him have the Money at that Time but carried it to him afterwards, if I don't mistake to the Amount of about £. 110, and said *Reynolds* told me he believed, both when he received the Money, and when he told me, that it was Treasury Money. I told him it was a very important Affair and he would do well to recollect every Thing he could, as it would give Satisfaction to Government to know how and by whom it was robbed, and tend to clear the Character of a certain worthy Gentleman that lies under Imputations, by some. He told me afterwards that he had recollected this further, that when said *Ford* came to his House and brought the Money, that said *Ford* pretended he was unwell and wanted a Bed, he accordingly directed him to a Chamber where after some Time, said *Reynolds* went softly to the Door and, as I remember,

" I remember, looked through the Key-hole and saw *Ford* busy at a
 " Table, opened the Door suddenly, went into the Room and found
 " said *Ford* cutting *New-Jersey* Bills apart with his Penknife, as though
 " they were in *Sheets*; and, upon Conversation, *Ford* told him that he
 " had the Number of all the Bills in the Treasury; and further he said
 " not.—This at the Request of the Honourable Judge *Ogden* I have put
 " into Writing, and do believe, as far as this Evidence will go, that it
 " may be depended upon, as said *Reynolds* appeared to me a true Peni-
 " tent, and shall be heartily glad if this with other Evidences may
 " serve to give satisfactory Light in this obscure and most wicked
 " Affair.—Testified as a faithful Declaration from *David Reynolds*, by

MORRIS TOWN. }
 October 5, 1773. }

TIM. JOHNES."

6. This Confession made in private to a Minister of the Gospel, who was assisting him in his Preparations for another World, so exactly corresponding with the one he had before made in publick, cannot but give great Weight to his Testimony; especially when we consider the Frame of Mind he was in at the Time, his having no Hopes of Life, nor any possible Temptation whatever to make such a Declaration unless it was true.—He well knew that if he was to die no Benefit could result to him from it, and if he had made it on an Expectation given him that he should be pardoned (as some, I am told, have foolishly, or rather wickedly affected to believe) he would naturally, as soon as he found himself likely to be disappointed, have made a contrary Confession, and exposed the Person who had deceived him. But when he was asked, just before he was turned off, whether he had any thing further to say, he declared that he had not, for that he had before confessed all he knew of any Consequence to the Publick, and that what he had confessed was true, or Words to that Effect.—Not to give Credit to the repeated Assertions of a Man conscious of his being just launching into Eternity, and who, as the Reverend Divine that attended him declares, was then to all Appearance a true Penitent (whatever his former Conduct might have been) would argue such a Want of Charity as is disgraceful to human Nature; more particularly in a Case like the present, where no one Thing has appeared in Evidence to the contrary. Here therefore, Gentlemen, I might safely rest the Proofs of my having had sufficient Authority for mentioning in my Speech that the Affair of the Robbery of the Treasury was brought to Light. But for your Satisfaction, and in Hopes of preventing Disputes, I shall proceed to consider some of the other Evidence which was laid before you respecting this Point.—From the last Confession of *Benjamin Cooper*, taken before *Samuel Ogden* and *Samuel Tuthill*, Esquires, on the 24th of September, the following is extracted—viz.

" In 1768 *Samuel Ford* himself removed to *New-York*, I believe early
 " in the Year, and there applied himself to procuring Materials for
 " counterfeiting Money, and to gain a Knowledge therein, as also any
 " other Business that should occur. He remained there at the Lodgings
 " of Mrs. *Blaw* some Time until he could find some convenient House
 " in

“ in a proper Part of the Town to be rented, when at last he procured
 “ a House in the back Part of the Town, where he generally lived when
 “ at his Business as before, though he still lived Part of his Time at
 “ Mrs. *Blaw*’s, and some other Part at his House (as Batchelor’s Hall)
 “ following no Business in an honest Way as I heard of.—Sometime in
 “ the Fall of 1768 I went to *New-York*; I put up at Mrs. *Blaw*’s my
 “ common Place of Lodging, where he, *Ford*, also lodged, who was
 “ from Home, and the People of the House told me was gone to the
 “ *Jersies*, from whence he lived and came. He, during my Stay there,
 “ returned Home, where we conversed on carrying on the Business of
 “ the Furnace, in which we were equally concerned, and such other
 “ Matters as occurred for the Prosecution of our Business. I was much
 “ in Want of Money and applied to him to procure some by making
 “ Sale of some Iron Castings in *Gerard Banker*’s Hands. After some
 “ Time spent he at last told me, after enjoining Secrecy, of the following
 “ Transaction, with the Circumstances which I at this Time can’t recol-
 “ lect or be exact: That he had Money enough; hinted the Robbery of
 “ the Treasury, and at last gave me a particular Account of the Rob-
 “ bery, of which he said he with two Soldiers, I believe they were
 “ Sergeants, and that they had lived I imagine at the Barracks at *Amboy*,
 “ where they got acquainted with the Situation of the Treasurer’s
 “ House; from *Amboy* they were some Time at *New-York* where he
 “ made an Acquaintance with them; I forgot their Names, or if he
 “ told me I am at a Loss, but that he with them had robbed and taken
 “ the Money, and if any more was concerned or not I can’t say, how-
 “ ever I well remember he told me of no more. The Time he now re-
 “ turned to *New-York*, as last above, he informed me he had been to
 “ *Bonham* Town, and under some Pretensions of selling some Iron Cast-
 “ ings to one *Manning* a Trader there, but that his Business was to bring
 “ Home his Share of the Money from whence he had deposited it: What
 “ Part or how they shared it I forgot; however, we now came to a Con-
 “ clusion that he should let me have some of it after some little Time
 “ when the chief Noise was over, which was all at this Time. He shewed
 “ me two or three Bundles of *Jersey* Bills, and one of *Pennsylvania*, of
 “ and from the Treasury, I still in Want of Money solicited him fre-
 “ quently, but yet to no Purpose, or did he let me have any of it till
 “ the Year 1771, a little before he set off for *England*. I should have
 “ held him to his Promise with me but for the Reason hereafter;—First,
 “ The Company was indebted to *Hayman Levy* a Sum near £. 400 Pounds
 “ in or about this Sum; when it was contracted *Ford* was concerned in
 “ the Furnace, but sold his Share to me in 1769 in the Spring; I be-
 “ came obligated to hold him safe from the Contractions while in Part-
 “ nership; *Levy* sued the Company and *Ford* happened particularly to
 “ be taken and held to Bail, as his Name was made Use of in the Account
 “ when contracted. He was now preparing to set off, but incumbered
 “ in this Matter and dare not pay it as it would give Suspicion of his
 “ still being at the counterfeit Business, for which he had been appre-
 “ hended in *New-York* and acquitted, where I, in the Beginning of
 “ Winter or the Last of Autumn of 1768, or the Beginning of 1769,
 “ was

“ was concerned with and had received from him some small Sum of
 “ Counterfeit Bills of this Province of 6s. and 3s. each. Here I was obliged
 “ to acquit him of his Promise and dare not disoblige him. He was
 “ also bound by Fear with me ; but in his soft Method recommended
 “ that the *Treasury Money should lay* as he could make as good as it :
 “ This was a Scheme to keep me at Bay. In a short Time after I re-
 “ ceived the 6s. and 3s. Bills he was taken and committed to Gaol for
 “ this Business, when he procured his Brother-in-Law to put this the
 “ Money and Tools away then made and in his Possession, which was
 “ done by *Kitchel* or *Jo. Morris* as *Ford* told me. He being acquitted,
 “ he moved to *Morris County*. Now I would go on to say, that being
 “ sued by *Levy* I was obliged to give him [*Ford*] a Security that his
 “ Estate should not become bound in his Absence so that *John Willson*
 “ of *Parshiping* and my Brother-in-Law *Robert Gasting* gave him a
 “ Bond of Indemnity ; on my doing this, and in Consequence of his
 “ former Promise in *New-York*, he let me have *one hundred Three Pound*
 “ *Bills* of *New-Jersey* Currency £. 300 proc. I was to return him
 “ £. 100, the Third ; *this was the Treasury Money* ; I was to return him
 “ Gold or Silver. If I had not given him this Security he wou’d sued
 “ me for a large Debt due to him and sold the Share of the Works I
 “ bought of him for a Trifle, whereby it wou’d have ruin’d me, al-
 “ though I had paid him between three and four Hundred Pounds : And
 “ another Inducement was my Obligation. 2d. For the Sake of getting
 “ this Sum of Money which I ought to have had long ere then accord-
 “ ing to Agreement. Further his selling me his Part of the Works
 “ in a few Months after the Robbery made him easy as to immediate
 “ Calls for Money so that he could let it lay untouched * as long as he
 “ thought proper, therefore kept it from me. I should not have ventured
 “ to made the Purchase before of the Works only by his promising to
 “ supply me with this Money at the Share of one Third to him. His
 “ being detected in *New-York* and not letting me have any of this
 “ Money, was a Damage to me, that is, that I made the Purchase ; it
 “ deprived me of a Partner’s Aid. Then or soon after I sold a Part of
 “ it that made it more easy to me.”

“ *Sam. Ford* once told me he had changed some old Money with
 “ the Treasurer in order to view the House or Situation.”—“ Some of
 “ the *Jersey* Paper Money. *Sam. Ford* shewed me that was of the *Trea-*
 “ *sury* was in *Sheets* either in *two* or *four* Bills each.”—“ I well recollect
 “ that *Samuel Ford* in giving me an Account of his robbing the *Trea-*
 “ *sury* said he and the Soldiers went from *New-York* to or near the
 “ *Blazing-Star* Ferry where they procured a small Boat and went therein
 “ to *Amboy* and committed the Robbery and after went off in said Boat

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“ to

* According to the Eastern Treasurer’s Deposition, there was in the Iron Chest about *Seven Hundred Dollars*, and about *Five or Six Hundred Pounds* in Bills which had been current and were worn, besides about *Fifty-eight Pounds* in the *Escrivoir* ; so that *Ford* could be under no immediate Necessity of venturing to pass the *new Money* : And ’tis probable he did not pass it till the Times mentioned in the several Depositions. When he let *Reynolds* have the £. 110 in *January* 1770, he only risked about £. 18 in *new Bills* of *New-Jersey*. Nor was it till the Year 1771, a little Time before he went to *England*, that he ventured to bring out any large Sums of it. Then it was that he let *Gosper* have £. 300, *Budd* £. 200, and *Richardson* a great Sum (to all Appearance upwards of £. 1000) to change into Gold, as is hereafter particularly mentioned.

“ to a Wood either on *Staten-Island* or on *South-Amboy* where they deposited the Money for a Time, and the next Day returned into *Amboy* in order to hear the common Reports, where they stayed some few Days.”

And the following Extracts are made from *Cooper's* Answers to the Questions put to him by Order of the Governor and Council, viz.

“ *Question 4th.* When has he Reason to believe that *Ford* first made Paper Money, and what Sorts and Denominations were they ?

“ *Answer.* At the Time of his going to *New-York* with *Reynolds* with the Paper, when *Ford* only made Six and Three Shilling Bills; and does not believe he made any other Bills before he went to England.

Question 5th. “ Let him give as particular Account as possible of the different Denominations of the Bills *Ford* made from Time to Time, and fix the Dates as well as possible.”

Answer. “ Saw *Ford* sign Fifteen and Twelve Shilling Bills in the Spring of the Year 1771 which he is inclined to think were *Treasury* Bills, but is not certain, the Reason he gives for this Belief is that *Ford* had not to his Knowledge any Types or other Materials for counterfeiting of Money after his Return from *New-York*.

Question 13th. “ In general to fix the Dates of all Transactions and in particular every Thing he knows respecting the Robbery of the *Treasury*, and those concerned in it either in Fact or by Suspicion.

Answer. “ See his *Confessions*.—He does not believe any other Persons concerned with *Ford* than the Soldiers mentioned in his Confession.”

Question 14th. “ What Denominations of Bills *Ford* counterfeited before he went for *England*, and what after his Return from thence?”

Answer. “ He knows *Ford* to have made only Six and Three Shilling Bills before he went to England; and since knows nothing of his counterfeiting Money.”

Question 15th. “ When and how often did he see *Jersey* Bills in Possession of *Ford* or others in Sheets or Parts of Sheets; how ranged and the Value of the several Bills, and the Number of them on each Sheet?”

Answer. “ Some of the Money *Ford* shewed him, when he informed

“formed him of his having *robbed the Treasury*, was in
 “*Sheets*, but cannot remember how they were ranged;
 “they were of different Denominations, *viz.* Three
 “Pound, Thirty Shilling, Fifteen Shilling and Twelve
 “Shilling, either two or four on a Sheet. That he re-
 “ceived several Sheets of Twelve and Fifteen Shilling Bills
 “of *Samuel Ford* in 1771, he believes two in a Sheet, one
 “of each Denomination.”

“These are to certify that the above several Questions (in my Hand
 “writing) were put to *Benjamin Cooper*, the above Examinant, and
 “his several Answers to each Question (also in my Hand writing)
 “were given before me in the Presence of *Samuel Tuthill* and *Thomas*
 “*Kenney*, Esquires, taken this Twenty-fourth Day of *September* 1773—
 “And that the Substance thereof was taken the 17th Instant in the Pre-
 “sence of the Rev. Mess. *M^r Worter* and *Jones* and *Abraham Ogden*, Esq.

S A M. O G D E N.

I am sensible that several Objections have been made, and industriously propagated, against *Cooper's* Testimony respecting the Robbery of the Treasury, and shall therefore give you my Remarks on such of those Objections as are come to my Knowledge, and are thought any ways material.

In the first Place it is said, that he is so bad a Man that no Credit ought to be given to any Thing he has said or even sworn. There is no Person, I believe, who has formed a worse Idea of his Character than I have, and I should think it extremely wrong to let his Testimony have any Weight in Points where it was repugnant to any creditable Evidence. But if there be any such contradictory Evidence, with Regard to the Point before us, I have neither seen nor heard of it that I can recollect. His Confessions have in many Respects been found strictly true, and, if they had not been so, the Villany he was concerned in would not, in all Probability, have been brought to Light, nor *Reynolds* have been brought to Justice. This you must have seen in the commendatory Letter from the Justices who sat on his Trial, and in a Letter from the Honourable Judge *Ogden*. In the latter are these Words “*Cooper* made the *first Confession*, and brought out his Accom-
 “plices, and *That* on a Promise made him by the Court of recommend-
 “ing him to your Excellency for a Pardon, on which Promise he relied
 “and made his Confession, and I have good Reason to believe that *with-*
 “out him no material Discovery would have been made.” Can there then be any just Pretence for not giving as much Credit to his Testimony concerning the Robbery of the Treasury as was and is given to his Testimony respecting the Counterfeiting Money? The one has in general been found true, why may not the other? Is there any positive or probable Proof to the contrary? No, say the Objectors, there is not; but, if he knew any Thing of the Matter, how came he not to confess it at first as *Reynolds* did? His not doing it till he had a Rope round his Neck shews plainly enough that he did it merely to save his Life. A
 Man

Man with a Rope round his Neck may be made to swear to any Thing.

To the first of these Objections, I have only to say, that I have been assured by a Gentleman on whose Veracity I can depend, that *Cooper* declared after his last Confession that he should have mentioned before what he knew about the Robbery of the Treasury, but that so many bad Things had already appeared against him, that he was unwilling to discover that he had any Knowledge or Concern in that Matter, lest he should then stand but little Chance of obtaining a Pardon. For this Fear he had, indeed, no small Reason, as it appears by his own Confession that he had not only been privy to the Transaction soon after it happened, but that he had actually received a Share of the Money for his own Use.

But let this be as it will, I scarcely know which to admire most, the Folly or Wickedness of those who first suggested and propagated the other Idea, namely, that *Cooper* was either persuaded or compelled to this Confession by Promises of a Pardon, or by Threats of losing his Life.

As this vile Insinuation carries with it a Charge on some of the Officers of Government, and on none more than myself, and as it has met with many Advocates and Promoters, even among those who ought to know and act better, I cannot avoid paying more Attention to it than I should otherwise have thought it deserved.

At the Time when *Cooper* made his Confession respecting the Robbery of the Treasury there was no one present, nor indeed in the County of *Morris*, who could have the remotest Interest in persuading him to charge that Crime upon *Ford*; on the contrary his fixing upon a Man who had so many considerable Relations and Connexions in the County, could not but give Uneasiness to most of those around him. Nor can it be supposed but that it must have been with great Reluctance that he accused one who had for many Years been his most Bosom Friend, and from whom he had received particular Obligations. For aught he knew, and, indeed, as he had at that Time great Reason to expect, *Ford* might have been taken and brought in a few Days to confront him by some of the Persons then in Pursuit of *Ford* and his Accomplices; and if his Accusations should be proved false, what Chance could he then have of escaping from Justice himself? Could he, if the whole was a made Story, have possibly been so stupid as to have fixed it upon such a Person, when it would have equally answered his Purpose to have fixed it on some one who was either dead or removed out of the Province to some Place he knew not where? Is it reasonable to suppose he would run so unnecessary a Risk of Detection in a Falsehood, when he must know that if even he had obtained a Pardon for the Crime for which he was sentenced to Death, he would still be liable, in case of such a Detection, to suffer for Perjury?

If I remember right, I have been told that there were none present when he first promised to make a more ample Confession than he had done before, but *Samuel Tuthill*, Esq. *Abraham Ogden*, Esq. Lieut. Col. *Ogden*, the High Sheriff and two or three *Presbyterian* Ministers. He

was

was repeatedly told by some or all of these, that his former Confessions were not satisfactory, that the Governor and Council were convinced he knew more than he had yet discovered, and that unless he did make a full and ample Confession of all he knew, he must not expect to receive any Mercy. At the same Time he was cautioned not to attempt to make any further Confession unless he meant to tell the Truth in every Respect; for, that unless he did this, it would be only making bad worse, as the Governor and Council were determined that if his Story should not prove consistent, or if it should be found that he had in any ways attempted to impose upon them, that no Mercy should be shewn him on any Account; but, on the contrary, he might expect the utmost Vengeance of Government would pursue him. Col. *Ogden* even advised him to lay his Paper on his Coffin and write his Confession there, that he might have a proper Sense of the Importance of what he was doing. But that a Syllable was said to him to induce him to charge *Ford* or any one else with the Robbery of the Treasury, or intimating that he should not be pardoned but in case he confessed he knew something relative to that Matter, I am sure, from the Knowledge I have of those Gentlemen's Characters, and other Circumstances, must be an infamous Falsehood. And to give the least Countenance to such illiberal Insinuations against Gentlemen who have from the Beginning shewn such an active Zeal in detecting and apprehending those Offenders and bringing the whole of their iniquitous Practices to Light, would be an Instance of the highest and most unpardonable Ingratitude. For, if *Cooper* has been at all tampered with on the Occasion, it must have been by one or other of those Gentlemen, nor could they have made such a Bargain with him without having had my previous Concurrence. He was already sure, and had been from the Time of his first Confession, of those Gentlemen's Endeavours to procure his Pardon, therefore nothing but an absolute Assurance of receiving one from the Person who alone could grant it, could be any Inducement for him to confess more than he had at first done, at least to confess what he knew nothing about to answer a particular Purpose. To suppose Gentlemen of Character, possessed of common Sense, would venture to put themselves so entirely in the Power of such a Villain, as they must have done had they tampered with him on such an Occasion, a Man must himself be devoid of common Sense—To suppose they were so abandoned as to have any Concern in such a wicked Transaction, when there is not the least Circumstance in Favour, but many against such a Supposition, argues a depraved Mind capable of that or any other Villany.

But let us examine whether there are not some Particulars mentioned in his Testimony which are confirmed by the Testimony of others, and corroborated by several striking Circumstances.

1. He entirely agrees with *Reynolds* in fixing the Robbery on *Ford*.
2. What he says about *two Soldiers* having assisted *Ford* in the Enterprize, seems to quadrate with what was sworn to by *Phæbe Webb* a few Days after the Robbery happened. She declares, that "she heard an uncommon barking and howling of Dogs both above and below the Hill for a considerable Time, when she got up and went to the

“ Door that fronts towards the Water and Dock,” &c. “ that in about
 “ two Minutes after she opened the Door she heard a great Talking of
 “ People round the Corner *next Mr. Skinner’s House*, and presently saw
 “ two or *three* People come down the Hill the new Road, and went on
 “ the Dock, upon which, imagining they were *Soldiers*, she shut the
 “ Door to a small Crack, and saw two others as she thought join them.”
 It is true she afterwards says, that as the Night was cloudy and dark
 she could not distinguish them to be *Soldiers*, but, it seems, she ima-
 gined them to be such for some Reason or other. *Richard Sharplefs*
 likewise deposeth—“ That in the Night of the Robbery, between
 “ Twelve and One his Son waked him up, when he saw three Men at the
 “ Well; that they went first towards *Elias Marsh’s Shop*, then came
 “ back again and went *towards Mr. Skinner’s House*; and in about
 “ three Quarters of an Hour he heard some Men return again, which
 “ he thought were the same; that he thinks one of the Men had
 “ a Horse;”---This Horse might have been brought, perhaps, either
 with a View of enabling *Ford* the better to make his Escape, or to car-
 ry the Money off to *Bonham Town*, where he afterwards said he had
 secreted it.

That *Ford* or *Reynolds*, or both, had some Connexions with *Soldiers*
 at *New-York*, will likewise appear by some Letters that passed between
 the Honourable Mr. *Parker*, Mr. *Skinner* and myself so long ago as *June*
 and *July 1771*, which, as they likewise shew the Reasons there were even
 at that Time for suspecting *Ford* and *Reynolds* to have been concerned
 in the Robbery of the Treasury, I shall quote at large, viz.

“ To His Excellency WILLIAM FRANKLIN, Esq.

“ *Perth-Amboy, June 10th, 1771.*

SIR,

“ WE have for some Days past been amused with the Hopes of
 “ detecting the Villains that robbed the Treasury, and altho’
 “ the Prospect of making the Discovery is not quite so promising at pre-
 “ sent, Mr. *Skinner* is now very closely engaged in the Pursuit, and we
 “ flatter ourselves upon a Track that will in the End lead us to a full
 “ Discovery of the whole Matter. A Tract of Land in *Essex County*.
 “ belonging to the Estate of late *C. J. Morris* was some Time ago sold
 “ by the Sheriff, and last Week £. 2000, the Consideration Money, paid
 “ to Mr. *Boudinot*; of this about £. 900 was in *Jersey Money* and
 “ about one Third of it in Bills of 1764 and a few of 1763 mostly if
 “ not all defaced in the Manner that has been before observed to your
 “ Excellency and Mr. *S. Smith*. The People who paid the Money borrow-
 “ ed it all of one *Gomez* at *New-York*, and upon Mr. *Skinner’s* Application
 “ to him he informed him that he had received it in the common Course of
 “ his Business without ever having noticed it’s being any ways defaced,
 “ it being mixed in such a Manner through the several Bundles that
 “ it might very well pass unobserved by any Person who was not par-
 “ ticularly attentive, as our *Jersey Money* in general is now pretty
 “ much

“ much worn ; so that we are in but little Expectation of any further
 “ Discovery from that Transaction.

“ At a Horse-Race about ten Days ago at *Newark* two or three
 “ Fellows known to be great Gamblers, &c. passed five Twelve Shil-
 “ ling Bills, dated 1764 and a little defaced, at a Tavern, which were
 “ noted and are now in Mr. *Skinner*’s Possession ; these People are con-
 “ nected with one *David Reynolds* who was a Bully of the late *John*
 “ *Hackett*, and, from several Circumstances, such as his having been
 “ for a considerable Time flush of Money, and frequently passing to
 “ and from *New-York* upon a Scheme of changing Money, and from
 “ some others too tedious to make the Subject of a Letter, as well as
 “ from the Notoriety of his being a Villain capable of any kind of
 “ Wickedness, is suspected to be a Principal in this Affair with one
 “ *Samuel Ford* whose Circumstances and Behaviour of late give the
 “ greatest Cause to suspect that he is likewise concerned. The Steps
 “ necessary to make a full Discovery of this Matter were taken with the
 “ greatest Precaution by Mr. *Skinner* and his Friends and the proper
 “ Persons engaged in it, but most unfortunately the Payment of the
 “ Money above-mentioned to Mr. *Boudinot* became publick, which
 “ brought out the Passing the five Bills to the Tavern-keeper and has
 “ undoubtedly given the Alarm to the Villains we suspected, which it
 “ is feared will prevent the Discovery in the Manner we expected. But
 “ the Information of a Person that was engaged by Mr. *Skinner* to watch
 “ *Reynolds* when he was last at *New-York*, and some Information he
 “ has received from his Landlady relating to the general Business he is
 “ engaged in when there, which is very often, has given us fresh Hopes
 “ and we are still very sanguine in our Expectations that this Matter will
 “ ere long be brought to Light ; but it is so extremely difficult to ma-
 “ nage a Thing of this Kind without it’s being made publick (as differ-
 “ ent Persons must from the Nature of the Thing, be engaged in it)
 “ that we are not without our Fears that we may yet be disappointed.

“ Having conferred with the two Mr. *Skimmers* on this Matter we
 “ thought it was proper to inform your Excellency of it, and yet we were
 “ of Opinion that nothing more could be done to effect what we have
 “ so much at Heart than the Methods we are now taking ; and as *Cort-*
 “ *land Skinner* set out upon this Matter, and is to go to the Circuits of
 “ *Bergen, Morris and Essex* ; and *Stephen*, who came from *New-York*
 “ but last Evening, set off again this Morning on this Business, I was
 “ desired by him to write to your Excellency on the Subject, which I
 “ have done as minutely as the Matter will admit of, it being impossi-
 “ ble to relate every little Circumstance that gives Suspicion.

“ As both *Ford* and *Reynolds* have for a long Time been suspected
 “ being concerned in counterfeiting Money, it is possible their Behavi-
 “ our which gives the Suspicion may be on that Account ; but a Disco-
 “ very of either will be well worth the Pursuit, and I am convinced that
 “ nothing could have so effectually prevented it hitherto as it’s having
 “ become the publick Talk of the Country this Way, which was owing
 “ to the Want of a proper Caution in some Persons at *Newark* and
 “ *Elizabeth-Town*.”

“ I received

"I received your Favour of the 3d Instant, the Contents of which I shall duly regard."

"I am, Sir, Your, &c.

"JAMES PARKER."

"To His EXCELLENCY WILLIAM FRANKLIN, Esq.

"S I R,

"BEING anxious to make some Discovery of the Robbing my House, I set out last Week on a Piece of Intelligence I received from Mr. *Boudinot*, and have been upon the Inquiry ever since, a particular Detail of which Mr. *Parker* at my Request has informed Your Excellency."

"I got Home Yesterday from *New-York* where I find a considerable Sum of defaced *Jersey* Bills have passed; some of 30s. I have traced but can't come at anything satisfactory."

"I wish it had been in my Power to have stopped one *David Reynolds* on his Way from *Morris* to *New-York* as I have great Reason to believe he is concerned in this Affair."

"I set out from Home the 7th Instant, and found he had gone to *New-York* the Day before. I hired a Man who was recommended to me by Mr. *Isaac Ogden* to go in Quest of him and to watch him, but instead of keeping with him, he left the House where *Reynolds* lodged and went to see his Brother-in-Law, and tells the Woman of the House to take Notice what Bills she received from *Reynolds*; this alarm'd her, and soon after she saw a Sergeant go up Stairs to *Reynolds's* Room; as she never had Soldiers in her House, this made her suspect something bad was going forward, and she went to *Reynolds* and told him she did not allow Soldiers in her House, he replied it was a Soldier who had been his Servant; and soon after another which she took to be a Corporal went into *Reynolds's* Room, upon this she went up Stairs and would not suffer the Room Door to be shut and told *Reynolds* if he did not go out she would call up her Brother, upon which he with the Sergeant and Corporal went away, and about an Hour after, *Reynolds* returned, went to Bed, and early in the Morning went away; all this Time *Pierfon*, who I had employed, never came near the House. The Persons who keep the House are reputable People and keep Lodgings."

"I shan't neglect doing all in my Power to find out the Perpetrators of this atrocious Piece of Villany, and hope still to effect it, as it is but within the six Months the Money begins to circulate.

"PERTH-AMBOY, }
"June 15, 1771. }

"I am, &c.

"STEPHEN SKINNER."

"To

"To the Honorable STEPHEN SKINNER, Esq.

"Burlington, July 6th, 1771.

"S I R,

"I RECEIVED a Letter from you and another from Mr. Parker, acquainting me with the Prospect you had of discovering the Robbery of the Treasury, which I communicated to Mr. S. Smith. We should be glad to know if you have made any further Discoveries, and if not, we think you had better contrive, if possible, to have Reynolds and Ford apprehended. The latter it is very probable is concerned in counterfeiting the Jersey 15s. Bills mentioned in Holt's last Paper, as he formerly took a good deal of Pains to get out of the late Mr. Parker the Method of printing Money.—Perhaps, if they were once apprehended, the Sergeant and Corporal who were at Reynolds's Lodgings, might be induced to appear against him on a Promise of a Reward and a Pardon for any Concern they may have had in the Affair.

"I am, &c.

"Wm. FRANKLIN."

"To His EXCELLENCY WILLIAM FRANKLIN, Esq.

"S I R,

"YOURS of the 6th Instant I this Day received, and can only inform Your Excellency that upon every the least Discovery I shall acquaint you with it.

"We have laid such a Scheme to detect Reynolds and some others that I think we must succeed, but at the present to take him or any other of the Gang it will answer no Purpose, as they are no Doubt on their Guard from the Noise already made on this Subject.

"I shall next Week go to New-York on this Matter, and shall endeavour to find out the Sergeant and Corporal, and for that Purpose have engaged the Sutler of the Regiment, who is a very clever Fellow, and have promised him £. 100 for the Discovery.

"I am, &c.

"PERTH-AMBOY, }
"July 9th, 1771. }

STEPHEN SKINNER."

3. His Account of Ford's having gone by Water to Amboy to commit the Robbery is pretty fully corroborated by Miss Parker's Testimony who declares, that upon throwing up the Sash and putting her Head out of the Window, she "heard a Noise that she took to be the laying down of Oars in a Boat, that the Noise appeared to her to be to the Northward of Elias Marj's House," the very Place which Phæbe Webb mentions in her Deposition to have seen the Persons she took for Soldiers go towards. Elizabeth Inglis likewise deposed that "she heard the Rowing of a small Boat, and observed at the same Time that the Rowing was very smart, and as she thought, by the Noise of the

M

"Oars,

"Oars, like the Rowing of a Barge." This Woman, as well as many other Persons whose Depositions were taken at that Time, speak of the uncommon Barking of Dogs which they heard during that Night, near the *Waterfide*, and "*towards Mr. Skinner's House*."

4. *Cooper* says that on *Ford's* Return to *New-York* in the Fall 1768, where he (*Cooper*) met him, he said That he had been to *Bonham Town* under "some Pretensions of selling some Iron Castings to one *Manning*" a Trader there, but that his Business was to bring Home his Share "of the Money from whence he had deposited it." This was as good a Pretence as *Ford* could make for going there, for by Mr. *Manning's* Deposition it appears he had actually received from *Ford* some Iron Castings the Year before.

5. He likewise says that *Ford* told him "he had changed some old Money with the Treasurer in order to view the House or Situation." Now I think it is very probable that he did this at the Time when he went from Mr. *Manning's* on Foot to *Amboy* about two Months before the Robbery. It is pretty certain he had no kind of Business or Dealings with any Person whatever at *Amboy* that could call him there.

—The following is Mr. *Manning's* Deposition, viz.

"*New-Jersey*, City of *Perth-Amboy*, ff. Personally appeared before me *Samuel Sarjant*, Esq. one of the Aldermen of the City of *Perth-Amboy*, this thirteenth Day of *November* in the Year of our Lord one Thousand seven Hundred and Seventy-three, *Jeremiah Manning*, Merchant in *Woodbridge*, who being duly sworn, deposeth and saith That "*Samuel Ford* and *John Cooper* came to this Deponent's House some Time in *November* 1767 and agreed with and afterwards, to wit, on "or about the fifteenth Day of *December* following sent to this Deponent one Ton of Iron Castings. That on the second of *May* 1768, "*Samuel Ford* came alone and on Foot to this Deponent's and said he "had come from *Amboy* and called on this Deponent for Money, that "this Deponent then paid him Forty Shillings as appears by a Memorandum in this Deponent's Account Book, and soon after the "said *Samuel Ford* returned towards *Amboy*. That on the Day after "the Robbery of the Treasury this Deponent was abroad and heard "of it at *New-Brunswick* and can't say whether *Ford* was at his House "or not. And this Deponent further saith that the said *Samuel Ford* "hath not since called on this Deponent, and further this Deponent "saith not.

"Sworn on the Day and Year first
"above written before me

"S A M. S A R J A N T, Ald." }

JER. MANNING."

6. *Cooper's* Declaration that "some of the *Jersey* Paper Money *S. Ford* "shewed him, that was of the Treasury, was in Sheets either in two "or four Bills each" not only agrees with *Reynolds's* Deposition (the Contents of which I am told *Cooper* was entirely ignorant of at the Time) but is in a Manner confirmed by *Haines* and *Budd's* Depositions, who likewise mention seeing *Ford* with Money in Sheets. Now, as *Cooper* has

has declared in his Answer to the 8th and 9th Queries sent him by the Governor and Council, that the *Press* which *Ford* had before he went to *England*, “*was for one Bill only*,” and as the *Press* which he has used since his *Return*, and which has been seized by the Sheriff, cannot possibly, as it is described to me, print more than *one Bill* at a Time, I think this Circumstance gives great Weight to the Supposition that *Ford* had Possession of the Treasury Money. Indeed, from the general Tenor of that Part of the Eastern Treasurer’s Oath which mentions the several Kinds of Money in the Iron Chest, one would be naturally led to think that all the Paper Money deposited there was cut from the Sheets into single Bills; and ’tis probable he might think so at the Time, which was in three or four Days after the Robbery, and when his Mind must of course been greatly agitated. However, I am, notwithstanding, clearly of Opinion, that in this, if he did think so, he must have been mistaken; and indeed, there are no Words in his Deposition which mention that the Bills which were cut from the Sheets were cut into *single Bills*; they might have been cut into two or four Bills for aught that appears to the contrary, as is and often has been the Practice of the Treasurers of this and the neighbouring Colonies. If they were cut into either two or four, or both, they will answer the Description of them given by *Reynolds*, *Budd* and *Cooper*. It may, perhaps, be remarked that Mr. *Skinner*’s Clerk, *William Campbell*, has declared “that the Method of counting the Money was to put twenty Bills of a Sort into a Bundle.” This may possibly have been the general Method of counting the Money that was cut, but it no ways proves that all the Money that was counted was cut; on the contrary he himself says “that all the Money that *was cut* was *bundled up*; and that he believes “the said Money (i. e. the £. 11,000, which he expressly says was in “*the Chest* at the Time of counting was all counted but not *all cut* at “that Time.” This evidently proves that some *uncut* Money was kept in the *Iron Chest*, and I think it not improbable likewise, that some of that which was cut might have two Bills of a Sort left together, as I have many Times seen a Sheet of printed Bills which has contained two or more Bills of the same Denomination, and so printed as to be in a Line with each other.

7. But the Robbery of the Treasury by *Ford* is not only sworn to positively by *Reynolds* and *Cooper*, but is strongly implied in the following Extracts from the Depositions of Dr. *Budd* and *Samuel Haines*—

Extracts from *Bern Budd*’s Deposition taken before *Samuel Ogden* and *Samuel Tutbill*, Esquires, September 24, 1773.

“Sometime in the Year **seventy-one* *Sam. Ford* came to my House and gave me twelve or thirteen Pounds in twelve and fifteen Shilling Bills “*New-Jersey* Currency for my Services done as a Physician and for my “Expences in *New-York*, I, on a second Examination of the Money, “was fearful of it as it looked *very new* and as a *twelve Shilling Bill* “and a *fifteen* were in a Sheet, and looked as if cut from others. I see

“*Ford*

* In the Original this is, by Mistake, said to be in the Year *sixty-one*.

“*Ford* and asked him where he got it, he said for *Iron* sold in *New-York*.
 “I interrogated him; he still declared the Money *good*.” “Some Days
 “after, I applied to *Ford* for to know if he could pay me the Remainder
 “of the Order; he told me he could pay me out of that *new* Money.
 “I then asked him how he got it; he then told me that it was some +
 “Money which he found under the Stairs in his House in *New-York*,
 “that it was left by *Hall* who ran away, and *that he did not think but*
 “*that it was Treasury Money*, however he did not know. I then told
 “him if that was the Case I thought it best that Mr. *Skinner* should be
 “informed; he then said *That would immediately hang him if I told*, for
 “his having the Money with the Circumstances against him in *New-York*
 “*would hang him*, and he would turn King’s Evidence and get clear if
 “I informed: I told him he could hang nobody but himself; he said if
 “he was detected and taken he would inform against a great many;
 “I asked him who? He said the *Skimmers* and *Ogdens*, I asked if they
 “was guilty? He said no, they was not, but *Samuel Ogden* was an Ene-
 “my of his and the *Skimmers* was mistrusted, and if he hanged them
 “and me he should get clear, and so laughed. I was surprized, and
 “he pretended it was a Joke and said he had the Money tried and that
 “it *passed the Treasury*, that what he had by him for to dispose of I
 “might have and give him one Half or *two Thirds* for *he believed it*
 “*good Money*. He then gave eight Thirty Shilling *Jersey* Bills, I offered
 “one of them to change at *Gordins* he said it looked *new* and he would
 “take it; if it was not good he could return it: I said I thought best
 “to give him other Money and so did and returned the Money again
 “to *Ford*. He laughed at me and called me a Coward and said he was
 “afraid of me; I told him he need not for I would not hang any Body
 “in order to hang myself, as he did not care what he swore. He then
 “told me that he was not afraid of being hanged, &c. I then interro-
 “gated him and he told me that *David Reynolds*, [and] *Benj. Cooper*
 “passed it for him. I asked if *Haines*, *John King* and *Morris* did not; he
 “told me that *King* had, but *Morris* did not for if he got drunk he
 “would tell,” &c.

Extracts from the Questions put to Doctor *Bern Budd* by Order of the Governor and Council, with his Answers.

Question 2d. “To explain *more particularly* his Reasons for supposing
 “the Money he received from *Ford* soon after *Ford* came
 “from *York*, and which he gave *Haines* to pass on Shares,
 “was Treasury Money.

Answer. “That the Money appeared *new and good*, that a *twelve*
 “and *fifteen Shilling Bill* were in a Sheet one above the other,
 “and that the Paper appeared as if *other Bills* had been cut
 “*the from*; and [likewise] *from what Ford told him*.”

Question 13th. “When *Ford* began to make his Thirty Shillings and
 “Three Pound *Pennsylvania* Bills?

Answer.

Answer. " Since he came from *England*, as *Ford* said. He believes *Ford* made no Money from the Time of his being apprehended in New-York until after his Return from *England*.

Extract from the Confession of *Samuel Haines*.

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" I at a certain Time in Payment of a Loaf of Sugar to *Col. Ford*, the Bill being new he inspected it narrowly, which was my Intention in so doing, on giving it to him, he pronounced it good which encouraged me in the Scheme until I got surpris'd by *Abraham Ogden*, Esq. by his shewing one of the same Sort, as I took it, and told me they came out of the Treasury, begged me to take Notice from whence such Bills came. I thought others in the publick Way would likewise be desired the same; I went Home and burnt 6 or 8 and have meddled no further with them. I told *Ford* the Affair, which likewise put said *Ford* in Surprise."

Extracts from the Questions put to *Samuel Haines* by Order of the Governor and Council, with his Answers.

Question 1. " At what Time did *Haines* and *King* pass the Bills to *Bott* and *Hedden* at *Newark*, and what their Number and Denominations?

Answer. " In May or 1st of June 1771, they passed four or five Bills to them of twelve and fifteen Shillings.

Question 2. " Whether they were received of *Ford* as good or Counterfeit or as part of the Treasury Money?

Answer. " As Counterfeit.

Question 3. " What Insinuations those were which *Ford* gave him, that the Counterfeit fifteen and twelve Shilling New-Jersey Bills were made at *Philadelphia*, and who were particularly named and concerned?

Answer. " *Ford* first said they were Treasury Bills, as if in a Joke; and afterwards intimated that *Richardson* was concerned, and that the Bills were made at *Philadelphia*."

Question 12. " Whether he did procure Paper from *Richardson* for *Ford*, and where *Richardson* got that Paper?

Answer. " Knows nothing of Paper for making Money. That the Money *Ford* left in his Little-House for him [see the first Confession] was in Sheets, two or four Bills in a Sheet."

Now those very Bills of twelve and fifteen Shillings mentioned to be passed by *Haines* and *King* to *Bott* and *Hedden*, and received from *Ford* as counterfeit Money, were delivered by *Hedden* and *Bott* to *Isaac*

Ogden, Esq. on Suspicion of their being Treasury Money, who sent them to the Eastern Treasurer and he laid them before the Governor and Council, who adjudged them to be good Bills.—*Ford*, it seems from many Circumstances, was very cautious not to trust any Persons with his Secret respecting the Robbery of the Treasury, except his old Cronies, *Cooper*, *Reynolds* and *Richardson*, who had been concerned with him in the Counterfeiting Business from the Beginning; and therefore when he let any of the others have Treasury Money, he passed it to them as Counterfeit, of which they had no Doubt as they had an high Opinion of his Ingenuity. What too, I imagine, must have contributed to deceive them was his having (as there is Reason to believe) among the Treasury Bills some of those which had been signed by only two Signers, and his letting them see him sign those with the Name which was wanting. However, after some Time, *Ford* became almost as communicative to *Budd* as to the others, and from some Hints which he dropped, or to use *Budd*'s own Words, "*from what Ford told him*," and from the Newness and Goodness of the Bills he had Reasons for supposing the Money he received from *Ford* soon after he came from *New-York*, was *Treasury Money*.

Thus, Gentlemen, you see both *Budd*'s and *Haines*'s Confessions, which are in general supposed to be given sincerely and truly, contribute to confirm the Testimony of *Reynolds* and *Cooper* as to the Point before us.

8. It does not appear that *Ford* ever counterfeited the *Three Pound Bills* of *New-Jersey*, yet he let *Cooper* have One Hundred Bills of that Denomination at one Time, an Hundred Pounds of which he was to change and return in Gold or Silver; the other two Hundred Pounds he was to keep to extricate himself out of his Difficulties, and was promised him by *Ford* for that Purpose soon after the Robbery of the Treasury.—I cannot here omit taking Notice of a Circumstance which greatly corroborates *Cooper*'s Evidence with Regard to his having received those Hundred Bills of three Pounds each from *Ford*, and that two Hundred Pounds thereof were to be applied to his own Purposes. It arises from a Paper which has been furnished me since I delivered you my Speech at the Opening of this Session, and is an Abstract from the *Hibernia Company's Books*; of which Company *Cooper* is a Partner and was the chief Manager and Cash-keeper until the Time of his being imprisoned on the Charge of which he now stands convicted. By this Abstract it appears that *Benjamin Cooper* in *August 1771*, (which probably was immediately after he received the £. 300 from *Ford*) charges the said Company's Cash to himself for £. 195 : 14 : 0 : and that in the Expenditure of this Cash, a Number of People are made Debtors to Cash in sundry Sums amounting to £. 162 : 11 : 0 and it is observable that the most of these Payments are in such Sums as are exactly the Amount of one, two or more Bills of three Pounds proclamation or three Pounds ten Shillings Light Money, in which latter Currency those Books were kept: This, I think, renders it highly probable that these Payments were made in Bills of three Pounds proc. each. But, that you may have an Opportunity of judging for yourselves in this Matter, I now furnish you with that Abstract

tract in which the Names of the Persons to whom the greatest Part of that Money was paid are inserted, and of whom, if you think proper, you may make further Inquiry.

9. It appears by several of the Depositions already quoted, and by a Variety of other Testimony, that *Ford* did not counterfeit any Bills of *New-Jersey* but of the Denominations of *Three* and *Six* Shillings before he was taken up at *New-York* on Suspicion in the Beginning of the Year 1769, and of which but few had been circulated, nor did he counterfeit any Bills whatever from that Time till after his Return from *England* in *August* 1772.

10. It likewise appears that all the *New-York* counterfeit Money in which he had any Concern to the Time he went to *England*, as well that which was made by *Coon*, as that attempted to be made by Himself, was so bad that it would not pass, so that he must have rather lost than gained by the Business before that Period. *Pennsylvania* Money, and the higher Denominations of *New-Jersey* Bills, he did not attempt 'till after his Return from *England*. The following Extracts from *Cooper's* and *Budd's* Examinations will elucidate this Point—viz.

Extracts from *Benjamin Cooper's* Confession, written by himself and sworn to before *Samuel Ogden* and *Samuel Tuthill*, Esquires, *September* 24, 1773.

“Sometime in 1767, at what Time in the Year I can't remember, *Samuel Ford* set off from *Hibernia* and went to a certain *Coon*, a Man had been concerned in Money making as we were informed, who lived on or near a Place called *Stony Hill*, where *Ford* and *Coon* conferred together on the Subject of counterfeiting Money and respecting the Tools for making; their particular Conversation I can't say only as *Ford* told me on his Return, that *Coon* had Money of *New-York* Bills of 40s. some *Jersey* of 6s. each, and if any other I forget, and some Copper-Plate for striking them, and that they agreed that *Coon* should get the Money and Plates from whence they were deposited, and to send them all to *Ford* by my Brother *John Cooper*,” &c. “In a little Time *Samuel Ford* [and others] and myself all met at *Thomas Kinney's* Esq.” “My Brother brought about Forty Pounds in the above Currency to us where we viewed it and all disliked it, being very bad; whether it was then concluded on to return it, or whether *Samuel Ford* or I carried it Home with us at that Time or not I am at a loss, or who kept it in Possession, however, am inclined to think we took it Home as it was afterwards shewed at the Furnace by *Samuel Ford*,” &c. “but finally agreed it would not do to enter into so villainous a Scheme and returned it to *Coon* except some six Shilling Bills *Sam. Ford* kept.”

John Cooper, Brother to *Benjamin*, mentions in his Deposition before the Grand-Jury that when he delivered it [*Coon's Money*] to them, and they had viewed it they “said it would not do, and believes there was some Talk of throwing it in the Fire; but it was afterwards agreed the Bills were good for nothing.”

Extract.

Extract from *Bern Budd's* Deposition taken the 16th of *August* 1773.

"That sometime after this Deponent saith he was at *Paulus-Hook* Races and received from a Man three Three Pound *York* Bills which this Deponent passed to *Coppertbwait* who returned them through himself and *Lewis*, and this Deponent gave them to *Samuel Ford* to get changed for him at *New-York*, but on *Ford's* Return he acknowledged to this Deponent that he passed them to the Man as good Bills himself and that *he had made them*, but that he would quit that *Emif-sion* as he found he could not counterfeit it so well by Reason of the Paper being so very thin."

Extract from *Bern Budd's* Confession, *Sep.* 12, 1773.

"At the same Time I delivered myself up to Justice and confessed to what I knew concerning counterfeit Money, I reserved, by the Advice of my Council, impeaching my Brother whom I feared was concerned with the following Man, *Isaac Butler*, and thought by the relating of the following Circumstance might impeach him [*Thomas Budd*] by his [*Butler's*] Confession, neglected informing them that some Time ago the said *Isaac Butler* came to my House and requested my sending for *Samuel Ford*, which I did but he was not at Home. *Butler* said I would be obliged to you if you will do an Errand for me to *Ford* to which I promised, he then gave me four Three Pound Bills *New-York* Money, and desired me to give them to *Ford*, to which I seemed surprised and asked him if he received them of *Ford*, for they was wrote Counterfeit on the Face of one of them? he said I must tell *Ford* they was very bad done, that his Friends were in Danger. I remonstrated against it, and he promised he never would do any more, and told me to tell *Sam.* he would do no more; by which Errand I found out *Sam. Ford's* counterfeiting Money this last Time; but he requesting *Samuel Ford's* returning me six Pounds and was to send it him by the Post, which Errand I did, and *Ford* said *Butler* and his Friends owed him and would not pay any back. Then by that I brought *Ford* to a Confession I mentioned in my Deposition, each acknowledging to me the other concerned."

Extracts from *Bern Budd's* Deposition taken before *Sam. Ogden* and *Sam. Tuthill*, Esquires, *Sep.* 24, 1773.

"Just after my Return Home, *Isaac Butler* came to my House and gave me the four *New-York* Bills as mentioned in the Paper gave to Mr. *Ogden*, and on my returning them to *Ford*, interrogated him and he acknowledged the making the *New-York* Money and said that he did make it and that he found that the Thinness of the Paper would prevent the Deceiving the Office, and said the Arms was struck through in his and not in the *New-York* and he could not make them to answer," &c. "The Day before he [*Ford*] was taken he came he said to take Leave of me and wanted my Assistance in writing an infamous Advertisement against *Samuel Ogden*, Esq. which I advised him against; he then wanted to get my Assistance about his Children's

"Children's Schooling, I told him if he would be honest and inform me about the *Jersey* Money he had before he went to *England*, and all else he knew, I would, for said I, *lying, Richardson* and my Brother has told me and you have not been honest to me. He then began the following Relation, I have counterfeited Money, I counterfeited the *N. Jersey* 12s, 15s, 30s, * 60s. Bills, *New-York* Three Pounds but found they would [not] do so left it off. Also I counterfeited *Pennsylvania* 30s. and 60s. Pray how do you do to counterfeit, where did you get your Things to counterfeit with, I tho't *Kitchel* had destroyed them? When I lived in *New-York* I learnt to carve of a Carver and I got my Types of a Journeyman Printer in *New-York* who lived with *Gaine*. What is his Name? He said, I believe *Morris*, a drunken Fellow. You said you lost the Types in *Philadelphia*? When I came from *England* I lied to you, for *Richardson* and myself concluded to not let any be concerned except your Brother and you, on the Conditions I told you; I was to make the Money and give it to *Richardson* and he was to let it out to others. How could you say my Brother was concerned? He is with *Richardson*, said he; I acknowledge I have let you have counterfeit Money mixed with other Money, and will allow you on your Bond, and do you Justice you may depend."

11. It being notorious that *Ford* was in very low Circumstances on his leaving *Morris* to settle in *New-York* early in 1768; it being likewise well known to all who were acquainted with him that he followed no Business by which he could accumulate Money in a lawful way, and it being manifest from the Evidence produced that he could not gain any thing worth Notice by his counterfeiting Paper Money before his Return from *England*, there remains no other way to account for the very considerable Sums which we find him possessed of during that Period, but to suppose that he had a Share of the Treasury Money. As you may not, perhaps, have seen any particular Account of those Sums, I now lay before you an Estimate of the Money he expended at that Time, so far as the Honourable Judge *Ogden* was able to find any Traces in the Inquiry which he made for his own private Satisfaction, viz.

"An Account of several Sums of Money which *Samuel Ford* lent, paid and expended after the Robbery of the Treasury on the 21st of July 1768 and before his Return from *England* to *New-Jersey* in August 1772. The Account is stated from several Facts proved by Witnesses and other Vouchers, and from Circumstances arising on Matters proved.

O

"SEE

* This is probably either a Mistake of *Budd's* or a Misinformation of *Ford's*, for there are no Traces of any *New-Jersey* Bills of a higher Denomination than 30s being counterfeited, nor are there any such found in Circulation which could have been counterfeited by him.

" See Reynolds's Deposition	{	" Jan. 16, 1770, Ford lent to " David Reynolds, as per " his Bond — — —	£. 110 0 0
" Cooper's Deposition —		" In 1771. Let B. Cooper have	300 0 0
" Budd's Deposition 16 Aug.		" Let Bern Budd have —	200 0 0
" Mr. Ogden had this Account " from Mr. Mesier	{	" Paid on 2 Mortgages, viz. " in 1770 to Peter " Mesier — — —	£. 80 15 4
" See also Mr. Boudinot's Acc.	{	" to Mr. Boudinot " for Ditto — — —	73 8 0
	{	" May 1771 to " Mr. Mesier — — —	150 0 0
	{	" To Mrs. Ward " on a Mort- " gage — — —	80 0 0
			384 3 4
		" In 1771 Samuel Ford built a " new House valued at " about — — —	350 0 0
		" The Improvement of his " Plantation Fences, Gar- " den, Ditching, Meadows, " &c. — — —	100 0 0
		" Horses and Farming Uten- " sils — — —	80 0 0
		" In 1771 Paid Jon ^a . Ford for " Cows and Sheep — — —	61 10 0
		" Oct. 1771, Paid his Passage to " England — — —	40 0 0
" He bought Bills of Exchange " in Philadelphia, one " particularly of £. 170 " Sterling from Mr. John. " Pemberton. See Budd's " Deposition of 24th Sep. " who saw him pay about " £. 300 to Mr. Pemberton.	{	" Supporting Himself and " his Mistress in England " about nine Months, " which from his high " Way of living may be " reckoned at least — — —	800 0 0
		" 1772. His and his Mistress's " Coach hire from Birming- " ham to Bristol or Liver- " pool, their Passages to Ire- " land and Expences — — —	50 0 0
		" His and his Mistress's Pas- " sage from Ireland to Bos- " ton, &c. — — —	70 0 0
			£. 2545 13 4

Besides

“ Besides the above Account, and the Estimate of his Expences (which latter it is obvious are far from being over-rated) may be reasonably added a Charge for *Ford's* being instructed in printing and engraving and for Types, when in *England*. And also his Expences and Charge in supporting himself and Family at *New-York* and in *New-Jersey* before he went to *England*. It may also be justly concluded that *Ford* paid several other Debts within that Time undiscovered by the Examinations taken at *Morris* Court and since.

“ It is observable from the several Examinations taken that *Ford* and his Accomplices counterfeited and passed but small Quantities of counterfeit Money till after *Ford's* Return from *England* in 1772 when he had a full Supply of Types; before which the Bills were so bad in their Appearance that they were not fit to pass.

“ It may also be concluded that *Ford* found himself wanting in his Knowledge, or not having proper Types and Implements for counterfeiting of Money, and to supply which he and *Richardson* went the Voyage to *England*, which can't be supposed they would have done if they were before supplied.

“ The above Account of Facts and Remarks were stated and made by me as a circumstantial Proof to shew that *Ford* not only had and expended large Sums of Money after the Robbery of the Treasury and before his Return to *New-Jersey* in 1772, but also that said Money was not counterfeited by him or his Accomplices;—and was done for my own Satisfaction as to the Robbery of the Treasury.

“ DAVID OGDEN.”

12. As I mentioned in one of the Letters laid before you that I suspected *Richardson* was assisting to *Ford* in the Robbery of the Treasury, or at least that he assisted him in changing and passing the Money; I think it proper to communicate to you the two following Depositions which confirm the latter Suspicion; but of which I had not heard a Syllable at the Time I wrote that Letter, viz.

“ City of *Burlington*, ff. Personally appeared before me *John Lawrence*, Esq. Mayor of said City *Col. William M'Donald* who being sworn on the Holy Evangelists of Almighty God, deposeth—That in the Month of *January* or *February* preceding the Races at *Paulus-Hook* (which Races were after the Robbery of the Treasury) Captain *Joseph Richardson* of *Philadelphia* applied to this Deponent to purchase a running Horse and offered this Deponent a Watch and two half *Johannes's* in part pay, saying it was all the Money he had, and wanted this Deponent to take his Obligation for the Remainder, which this Deponent refused, having heard said *Richardson's* Circumstances were bad; then said *Richardson* offered this Deponent the two half *Johannes's* to lend him said Horse in order to run a Race in *Virginia* or *Maryland* which this Deponent also refused for the above Reason. That several Times afterwards and before the Races at *Paulus-Hook* this Deponent saw said *Richardson* passing through *Bedminster* Township in his Way to *Morris* County as said *Richardson* informed

“ informed him. That in the Month of *September* (after the Robbery
 “ of the *Treasury*) this Deponent and Capt. *George Coryell* went to the
 “ Races at *Paulus-Hook* where they met with said *Joseph Richardson*
 “ That in the Evening this Deponent, said Capt. *Coryell* with others
 “ went over to the City of *New-York* and lodged at one *Christopher Ben-*
 “ *son's*; that soon after they had got into the House, said *Richardson*
 “ and *Thomas Budd* came in and called for a Candle and a Room; that
 “ this Deponent did not see any thing more of them that Evening.
 “ Next Morning this Deponent went out upon Business and did not re-
 “ turn till eight or nine o'Clock when he asked for said *Richardson* and
 “ *Budd* and was told they had not been down that Morning: That he
 “ this Deponent went up Stairs and knocked at their Room Door which
 “ was fast, that said *Richardson* and *Budd* answered they would be
 “ down by and by; that soon after they came down when this Depo-
 “ nent asked them if they would go over to the Races, said *Richardson*
 “ replied no, for he wanted to exchange some Paper Money for Gold
 “ and asked this Deponent if he had any. That this Deponent went
 “ over to the Races, and in the Afternoon saw said *Richardson* on the
 “ Ground. That in the Evening this Deponent went Home. That the
 “ *Saturday* after the Races this Deponent met with Capt. *Coryell* at
 “ *Boundbrook*, who told him that the Night after this Deponent left
 “ *Paulus-Hook Richardson* asked said *Coryell* to lodge with him at a
 “ House near the Tavern where he kept his Horse; that soon after they
 “ got into the Room said *Coryell* went to Bed; that said *Richardson* before
 “ he undressed himself took out of his Pockets one Hundred or more
 “ Half *Johannes's* and a very large Bundle of Paper Money tyed up in
 “ a Handkerchief which surprised said *Coryell* as he knew it was but
 “ the *May* before that an Execution was levied by the Sheriff of *Phila-*
 “ *delphia* on said *Richardson's* Race-Horse, and would not suffer him to
 “ take said Horse to *Paulus-Hook* or *Long-Island*, until some of said
 “ *Richardson's* Friends would become bound for him, as said *Coryell*
 “ informed this Deponent, and further saith not.

“ Sworn this 12th of *November* }
 “ Anno Dom. 1773 before me }
 “ Jn^o. LAWRENCE, Mayor. }

WM. M'DONALD.

“ Province of *New-Jersey*, ss. Be it remembered that on this twen-
 “ tieth Day of *November* 1773, Personally appeared before me *David*
 “ *Ogden*, Esq. one of the Justices of the Supreme Court of the Province
 “ of *New-Jersey*, Capt. *George Coryell*, who being duly sworn, depof-
 “ eth and saith, That he has seen Capt. *Joseph Richardson*, saw him
 “ in *Philadelphia* the Year before *Richardson* went to *England*, then in
 “ the Custody of the Sheriff as the said *Richardson* informed this Depo-
 “ nent, who threatened to put him into Gaol unless he gave Security
 “ for a Debt, and understood he was very much reduced in his Cir-
 “ cumstances. That the next Year this Deponent saw said *Richardson*
 “ at the *Paulus-Hook* Races, and saw him change some Paper Money for
 “ half Joes. That this Deponent saw the said *Richardson* with *Thomas*
 “ *Budd* at one *Benson's* at *New-York*. That on the last Day of the
 “ Races

“ Races, not able to get Lodging at the Tavern at *Paulus-Hook*, this
 “ Deponent went to *Van Vorst's* near *Paulus-Hook* with the said Capt.
 “ *Richardson* to lodge, where they lodged in the same Bed ; that this
 “ Deponent went first to Bed ; that *Richardson* staid up and sat at the
 “ Table counting first Half Joes, this Deponent thinks an Hundred or
 “ more, and then took out of his Pockets several Bundles of Paper Mo-
 “ ney and began counting them, and continued so long that this De-
 “ ponent went to Sleep and did not know when *Richardson* came to Bed.
 “ In the Morning this Deponent told the said *Richardson* that he had a
 “ great Sum of Money and supposed he intended to sport largely, to
 “ which he replied he did not, but said he had received a Sum of Mo-
 “ ney, and there was an Advantage in changing Paper Money for Half
 “ Joes. That his having so much Money surpris'd this Deponent, as
 “ this Deponent knew and had heard so much of his Circumstances ;
 “ and soon after (this Deponent thinks the next Day) informed Col.
 “ *McDonald* of it,—and further this Deponent saith not.

“ Sworn the Day and Year first
 “ afore said, before me

“ DAVID OGDEN.”

“ GEO. CORYELL.”

Thus, Gentlemen, I have complied with your Request, and given the particular *Reasons of my Sentiments*, pointed out those *striking Circumstances which corroborate the Confessions*, and do now assure you that I did, at the Opening of the Session, lay before you *all the Examinations, Evidences, Confessions and other Papers* which I had then seen or were in my Possession relating to this Discovery ; nor have I received any since except the Depositions of Mr. *Manning*, Col. *McDonald* and Capt. *Coryell*, and the Estimate of *Ford's* Expences which are inserted, and the Extract from the *Hibernia* Company's Books referred to, in this Message. There may be some other Circumstances which I do not now recollect, but I think I have mentioned enough to satisfy every Man of Candour—every Man capable of divesting himself of ill conceived Prejudices—and in short, every Man who will not shut his Eyes to the Light of Truth and Conviction.

I have, as it is a Matter of great publick Importance, taken much Pains in the Inquiry ; and that I wish you to do the same you must have seen in one of the Letters I laid before you, written to the Honorable Judge *Ogden*, wherein I gave as a Reason why I did not think proper to pardon the three Convicts at that Time, that I chose the Assembly should have it in their Power to examine them if they thought proper. “ It may be a Means (I added) of putting a Stop to the many ridiculous Stories and dirty Insinuations that are already got about among the People on this Occasion ; for every Day's Experience evinces that there is nothing too wicked for Malevolence to propagate, or too absurd for Ignorance to credit.” I accordingly respited them to the 15th of *November*, and they have been since further respited to *Monday* the 13th of next Month. It is necessary therefore, if you incline to examine these People yourselves, that you should inform me so, that I may either order them down or discharge them as may be thought proper.

per. If you should incline to enter further into this Inquiry, I should be glad that you would likewise inform me whether you would rather examine them before or after they are pardoned; and I think it will enable you to form the better Judgment if you also make yourselves acquainted with the several Circumstances relative to their Confessions, Trials, &c. which Information you can obtain from the Judges and other Gentlemen who have been active in this Business.

On the Whole, Gentlemen, as there is both positive and circumstantial Evidence to prove that *Ford* was concerned in the Robbery of the Treasury, and as there is not the least of either to prove the contrary, I doubt not but you will do me the Justice to acknowledge that I was right in asserting that that Affair was brought to Light. But, however that may be, I am fully convinced that I shall stand justified in the Eyes of the impartial Part of Mankind, as I do in my own Conscience. How far those will be justified in either, who, after having such Evidence laid before them, may affect to be of a contrary Opinion, remains to be determined.

Nov. 29, 1772.

WM. FRANKLIN.

Which was read, and ordered a second Reading.

The House adjourned till Two, P. M.

The House met.

Mr. *Eldridge* had Leave of Absence upon extraordinary Occasions.

A Message from the Council by Mr. *Ogden*.

Council-Chamber, Nov. 29, 1773.

THE House having taken into Consideration the Message from the House of Assembly of the 23d Instant;

Ordered,

That Mr. *Stevens*, Mr. *Stockton* and Mr. *Coxe*, or any two of them, be a Committee to join the Committee of the House of Assembly to adjust and settle the Western Treasurer's Accounts, and to burn the cancelled Money in his Hands, and also to settle all the publick Lottery Accounts that may come before the House this Session;

Ordered,

That Mr. *Ogden* do acquaint the House of Assembly therewith, and that the said Committees are to meet for the said Purposes at the said Treasurer's House at Three o'Clock To-morrow Afternoon.

By Order of the House,

CHA. PETTIT, D. Clerk.

According to Order the House resumed the Consideration of His Excellency's Message of the 17th Instant, respecting the Robbery of *Jonathan Whilldin*, and the House being informed that the said *Whilldin* was sick and could not attend, several Affidavits and other written Evidences were read, and several Persons examined; whereupon, after some Debate, on the Question,

Resolved,

Resolved,

That the Proof of the said Robbery is not Satisfactory to this House, and therefore at present it is unnecessary to enable His Excellency to offer any Reward.

Ordered,

THAT Mr. *Dey* and Mr. *Paxson* do wait on His Excellency, and in Answer to his Message of the 17th Inst. inform Him, That the House hath made a particular Inquiry into the supposed Robbery of *Jonathan Whilldin*, and cannot think it expedient to enable His Excellency to offer a Reward, as the House are not sufficiently satisfied that any Robbery was committed, and are of Opinion that the Matter rather merits an Inquiry in the Courts of Law.

The House, according to Order, resumed the Consideration of the Petition from *Daniel Hand*, Collector of the County of *Cape-May* ;

Ordered,

That Leave be given to bring in a Bill for suspending, for a limited Time, the Penalties incurred by the Collector of *Cape-May* for not paying the Money assessed on the said County into the Treasury on the Day fixed by Law, and for other Purposes.

The House adjourned till Nine o'Clock To-morrow Morning.

Tuesday, November 30, 1773.

The House met.

Mr. *Combs* reported, That, as Mr. *Eldridge* is absent with Leave of the House, he delivered the Bill with him and Mr. *Eldridge* intrusted to Mr. *Parker*, one of the Gentlemen of the Council, the Council not fitting.

Mr. *Dey* reported, That Mr. *Paxson* and Himself delivered the Message of Yesterday to His Excellency.

A Petition was presented to the House from sundry Inhabitants of the Township of *Chesterfield*, in the County of *Burlington*, praying, That the further Importation of Slaves may be prohibited, and that the Owners of Slaves may, by an Alteration of the present Laws, be enabled to set them at Liberty ; the Petition was read, and ordered a second Reading.

Mr. *Price*, according to Order, brought in a Bill, entitled, *An Act to restrain the Practice of Foxhunting in the County of Gloucester* ; which was read, and ordered a second Reading.

His Excellency's Message of Yesterday, relative to the Robbery of the Treasury, was read the second Time.

Ordered,

That Mr. *Wetherill*, Mr. *Tucker*, Mr. *Price*, Mr. *Lawrence*, Mr. *Sheppard*, Mr. *Hinchman* and Mr. *Kinsley*, be appointed a Committee to inspect the Papers laid before the House by Order of His Excellency, relative to the counterfeiting of Money and the Robbery of the Eastern Treasury, and to take into Consideration His Excellency's Answer of the

the 29th Instant, and that the said Committee make their Report fully thereon,

And on Motion,

Whether the said Committee do take into their Consideration the present Situation of the Eastern Treasury, the late Robbery thereof, and the Mode proper to be pursued to obtain Justice, and Report on the same; on the Question, it was carried in the Affirmative, as follows:

Yeas.	Yeas.	Yeas.	Nays.
Mr. Combs,	Mr. Hewlings,	Mr. Hand,	Mr. Fisher,
Mr. Wetherill,	Mr. Paxson,	Mr. Tucker,	Mr. Roy,
Mr. Moores,	Mr. Sykes,	Mr. Mehelm,	Mr. Demarest,
Mr. Taylor,	Mr. Hinchman,	Mr. Sheppard,	Col. Ford,
Mr. Lawrence,	Mr. Price,	Mr. Elmer.	Mr. Winds,
Mr. Garritse,	Mr. Gibbon,		Mr. Pettit.
Mr. Dey,	Mr. Holme,		
Mr. Kinsley,			

Ordered,

That the said Committee do take the same into their Consideration and report accordingly.

Mr. Hinchman, in Behalf of the Petitioner, and agreeably to the Leave granted, brought in a Bill, entitled, *An Act to suspend the Prosecution of the County Collector of Cape-May for a limited Time, and upon certain Conditions therein expressed*; which was read, and ordered a second Reading.

The House adjourned till Two, P. M.

The House met.

The several Petitions for prohibiting the Importation of Slaves, and for regulating their Manumission, were read the second Time;

Ordered,

That Mr. Fisher, Mr. Paxson and Mr. Sheppard, be a Committee to prepare and bring in two Bills, one for laying a further Duty on the Purchasers of Slaves, and the other for regulating the Manumission of Slaves.

Col. Ford, from the Committee appointed for that Purpose, brought in a Bill, entitled, *An Act for rebuilding, repairing and maintaining the Drawbridge over Croffwicks Creek, in the County of Burlington, and for repairing the Causeways adjoining said Bridge*; which was read, and ordered a second Reading.

The House adjourned till Nine o'Clock To-morrow Morning.

Wednesday, December 1, 1773.

The House met.

Col. Ford, in Pursuance of the Leave granted last Session, brought in a Bill, entitled, *An Act appointing Commissioners for laying out, making and keeping in Repair certain Roads to and from Paulus-Hook in the County of Bergen*; which was read, and ordered a second Reading.

The

The Petition from the upper Parts of the Province, praying, That no Person but professed Tanners may be allowed to purchase any green Hides or Calfskins, was read the second Time ;

Ordered,

That the Consideration thereof be deferred.

The Petition from *James Morgan*, a Prisoner for Debt in *Perth-Amboy* Gaol, praying an Act to release his Person from Imprisonment, was read the second Time ;

Ordered,

That the Petitioner have Leave to bring in a Bill for his Relief at the next Session of Assembly, provided no reasonable Objections shall then appear against the same ; and that at least six Weeks Notice of this Order shall have been given in *Gaine's New-York Gazette*.

A Petition was presented to the House and read from *Pilesgrove*, as was another from *Pittsgrove*, in the County of *Salem*, praying a Law to maintain their Roads by Tax.

A Petition was presented and read from *Chesterfield*, *Mansfield*, and Parts adjacent, in the County of *Burlington*, praying that all Bridges which require handicraft Work may become a County Charge ; and

The Petitions from *Reading* and *Tewksbury*, from *Elfinborough*, from *Somerſet* for a Bridge over *Lameton* ; from *Bedminster*, from *Barnard*, and from *Somerſet*, for a Bridge near *Van Veghte's* ; were read the second Time, and they were all referred to the Committee upon the Road Bill.

The Petition from *James Gray*, for Relief, was read the second Time ;

Ordered,

That the Consideration thereof be referred to next Session.

The Petition from *Somerſet* and *Middleſex* for raising a Sum of Money for completing the Bridge at *Raritan-Landing*, was read the second Time ;

Ordered,

That Leave be given for a Bill at next Session of Assembly, provided that Notice shall be published in *Gaine's New-York Gazette* at least six Weeks before the Session, and that no reasonable Objection shall then appear against the same.

Mr. *Tucker*, from the Committee appointed to join a Committee of the Council to adjust and settle the Western Treasurer's Accounts, &c. and to burn the cancelled Money in his Hands, reported, that at several Meetings for those Purposes, they had adjusted and settled the said Accounts, and burnt the said cancelled Money, and, with Leave, he delivered the said Accounts to the House, which were respectively read and agreed to by the House ; and the same are as follows, viz.

DR. SAMUEL SMITH, Esq. Trea—

1771.									
Nov. 30.	To Balance of Account, reported to the Council and Assembly this Day,					£. 828	11	8½	
1772.									
Feb. 26.	To Cash of John Hopkins, being the Balance of his Account as Barrack-Master,					9	5	6	
Aug. 17.	To Cash of Wilson Hunt, on Account of the Balance due from him to the Province,					300	0	0	
Sept. 24.	To Cash of the Widow Sharp, Executrix of Isaac Sharp, deceased, being Part of the deficient Loan-Office Money of Salem County, —					161	13	0½	
1773.									
May 31.	To Cash of William Hancock, Executor of William Hancock, deceased, being Part of the deficient Loan-Office Money of Salem County,					105	18	5	
	To Cash of Grant Gibbon, Administrator of Nicholas Gibbon, deceased, being Part of the deficient Loan-Office Money of Salem County,					198	13	0½	
Nov. 18.	To Cash of James Parker, Esq. in Part of the Eastern Proprietors Bond,					600	0	0	
	To the Taxes of the following Counties, for Support of Government, payable into the Treasury the 21st of November, 1773, viz.								
		Cumberland,	£. 134	17					
		Hunterdon,	477	7					
		Burlington,	375	1					
		Salem,	237	17					
		Gloucester,	267	1					
						1492	3		
	To one old Deficiency from Cape-May,						4	7½	
	To two old Deficiencies from Hunterdon,					7	11	9½	
	To three old Deficiencies from Burlington,					33	9	9½	
						£. 3737	10	11	

DR. SAMUEL SMITH, Esq. Trea—

1771.									
Nov. 29.	To Balance reported to the Council and Assembly this Day,					£. 2183	17	8	
1771.									
Nov.	To the Sinking Fund Tax, directed to be raised this Year, viz.								
		Burlington,	£. 1339	11					
		Gloucester,	953	18					
		Salem,	849	10					
		Cumberland,	481	13					
		Cape-May,	208	13					
		Hunterdon,	1704	16					
		Suffex,	741	12					
						6279	13		
1772.									
Nov.	To the Sinking Fund Tax, directed to be raised this Year, viz.								
		Burlington,	£. 1339	11					
		Gloucester,	953	18					
		Salem,	849	10					
		Cumberland,	481	13					
		Cape-May,	208	13					
		Hunterdon,	1704	16					
		Suffex,	741	12					
						6279	13		
						14743	3	8	
						28	0	5½	
	Balance due to the Treasurer,					£. 14771	4	1½	

fur, SUPPORT of GOVERNMENT,

CR.

1773.

By fundry Vouchers, from Number 1 to Numb. 74, inclusive, all examined, allowed, and indorsed the 30th November, 1773, — £. 2657 11

Balance due to the Province, including the Western Moiety of *One Thousand Pounds*, which the Treasurers are directed, by Acts of Assembly of 31 of *George* the Second, and 12 of *George* the Third, to retain in their Hands, for the Use of the Committee of Correspondence, — — —

1079 19 11

£. 3737 10 11

Errors excepted, December 1, 1773,

By Order of the Committees,

JOHN STEVENS,
SAMUEL TUCKER.

fur, SINKING FUND ACCOUNT,

CR.

1772.

May 13. By Bills of Credit, cancelled by the Justices and Freeholders, as per their Certificate, dated May 13, 1772, and burned by the Committees, this 1st of December, 1773, — — £. 6856 17 9

1773.

May 12. By Bills of Credit, cancelled by the Justices and Freeholders, as per their Certificate, dated May 12, 1773, and burned by the Committees, this 1st of December, 1773, — — 7914 6 4½

£. 14771 4 1½

Errors excepted, December 1, 1773,

By Order of the Committees,

JOHN STEVENS,
SAMUEL TUCKER.

Agreeably to the Leave granted Mr. *Pettit*, in Behalf of the Petitioner, brought in a Bill, entitled, *An Act to naturalize Jacob Chesnutwood*; which was read, and ordered a second Reading.

The House adjourned till Two, P. M.

The House met.

A Petition was presented to the House and read from *Elijah Bond* and others, praying a Law to ascertain the Rates of Ferriages for the Ferry over the River *Delaware*, lately set up by the said *Elijah Bond*;

Ordered,

That the same be read a second Time.

The Bill, entitled, *An Act to naturalize Jacob Chesnutwood*, was read the second Time, agreed to by the House, and ordered to be engrossed.

The Bill, entitled, *An Act for erecting a Dam, Mills and other Water-works on Nacut Creek, in the County of Gloucester, and to indemnify those whose Property may be injured thereby*, was read the second Time, amended in the House, and upon the Question, agreed to, and ordered to be engrossed.

The Bill, entitled, *An Act to suspend the Prosecution of the County Collector of Cape-May for a limited Time, and upon certain Conditions therein expressed*, was read the second Time, and agreed to by the House;

Ordered,

That the said Bill be engrossed.

On Motion of Mr. *Hinchman*,

Ordered,

That he have Leave to bring in a Bill for the more speedy Punishment of Horse-Stealers :

Whereupon Mr. *Hinchman* brought in the said Bill, entitled, *An Act for the more speedy Punishment of Horse-Stealers*; which was read, and ordered a second Reading.

The House adjourned till Nine o'Clock To-morrow Morning.

Thursday, December 2, 1773.

The House met.

The Engrossed Bill, entitled, *An Act to suspend the Prosecution of the County Collector of Cape-May for a limited Time, and upon certain Conditions therein expressed*, was read and compared; on the Question,

Resolved,

That the same do pass.

The Engrossed Bill, entitled, *An Act to naturalize Jacob Chesnutwood*, was read and compared; on the Question,

Resolved,

That the same do pass.

Ordered,

That Mr. *Hand* and Mr. *Elmer* do carry the said two Bills to the Council for Concurrence.

A Petition

A Petition from the Owners of certain Lands upon the *Walkill* in the County of *Suffex*, commonly known by the Name of the *Drowned-Lands*, was presented and read, praying an Act of this Province for draining the said Lands similar to a Law passed at last Session of the *New-York* Assembly for that Purpose ;

Ordered,

That the Petition be read a second Time.

Mr. *Fisher*, from the Committee appointed to that Service, brought in a Bill, entitled, *A supplementary Act to an Act, entitled, An Act for laying a Duty on the Purchasers of Slaves imported into this Colony* ; which was read, and ordered a second Reading.

In Pursuance of an Order of last Session, Mr. *Paxson* brought in a Bill, entitled, *An Act for the better regulating the Tanning of Leather for Sale in the Colony of New-Jersey* ; which was read, and ordered a second Reading.

Mr. *Price*, from the Committee appointed for the Purpose, reported the Bill, entitled, *An Act to enable the Owners and Possessors of the Meadows and Marsh adjoining Rapaupa Creek, in the County of Gloucester, to erect, cast up, repair and maintain a Dam and Bank and Waterworks sufficient to prevent the Tide from overflowing the same*, with several Amendments thereto ; and the Bill was read with the Amendments in their Places, and upon the Question the House agreed to the said Bill as amended ;

Ordered,

That the said Bill as amended be engrossed.

A Message from His Excellency by Mr. D. Secretary *Pettit*.

A MESSAGE to the ASSEMBLY.

GENTLEMEN,

I NOW lay before you the Barrack-Master's Accounts for the Repairs of the Barracks, and for the Supply of the Troops quartered in this Province during Part of the Year 1772, and for those which arrived last *July*, and are at present in the Barracks of *Amboy*, *Elizabeth-Town* and *Brunswick*. For the former, who remained in the Colony from the 31st of *August* to the 26th of *October* following, there was only expended £. 195 : 15 : 0 Proclamation Money, out of the Three Hundred Pounds which you had authorized me to draw out of the Treasury ; so that there remains in my Hands £. 104 : 5 : 0 either to be repaid into the Treasury, or appropriated towards the Expences incurred for repairing the Barracks, and supplying the Troops at present stationed there. The Barracks being very much out of Repair, and the Furniture in a great Measure worn out, particularly the Bedding which was become entirely useless, the Expences for these Articles necessarily amount to a considerable Sum ; however, as they will last for many Years with the Care they are now under, and as every Thing has been

R

purchased

purchased at the cheapest Rate, I doubt not but you will readily allow the Accounts.

Dec. 2, 1773.

WM. FRANKLIN.

And Mr. D. Secretary laid before the House the Barrack-Master's Accounts.

The Message was read, and referred to be considered on the second Reading of the Governor's Speech.

A Message from His Excellency by Mr. D. Secretary Pettit.

A MESSAGE to the ASSEMBLY.

GENTLEMEN,

AS Colonel *Ogden*, who was principally concerned in taking the Examinations of the Persons now under Sentence of Death in *Morris* County, and by whose Means in a great Measure the Discoveries were made relative to the Robbery of the Treasury, is now in Town, I think it proper to inform you thereof, that you may, if you are so inclined, inquire of him concerning any Particulars respecting that Affair in which you may want further Satisfaction.

If you have come to any Determination with regard to the Examination of the Convicts themselves, as proposed to you in my Message of the 29th of *November*, I should be glad you would inform me of it as soon as possible, that I may take the Opportunity of the Colonel's Return to give such Orders as may be necessary with regard to those Criminals.

Dec. 2, 1773.

WM. FRANKLIN.

Which was read, and ordered a second Reading.

The several Petitions for and against making *Affiscunk* Creek a lawful Fence, were read the second Time;

Ordered,

That the Parties be heard before the House on *Monday* next, at Two o'Clock, *P. M.*

The House adjourned till Two, *P. M.*

The House met.

The Engrossed Bill, entitled, *An Act for erecting a Dam, Mills and other Waterworks on Nacut Creek, in the County of Gloucester, and to indemnify those whose Property may be injured thereby*, was read and compared; on the Question,

Resolved,

That the same do pass.

Ordered,

That Mr. *Hinchman* and Mr. *Sheppard* do carry the same to the Council for Concurrence.

Mr. *Hand*

Mr. *Hand* reported, That Mr. *Elmer* and Himself delivered the two Bills with them intrusted to the Speaker in Council.

His Excellency's Message of this Morning, relative to the Examination of Col. *Ogden*, and to the Prisoners under Sentence of Death in *Morris* County, was read the second Time; and on the Question,

Ordered,

That the Examination of Col. *Ogden* be taken :

Yeas.	Yeas.	Yeas.	Nays.
Mr. <i>Wetherill</i> ,	Mr. <i>Winds</i> ,	Mr. <i>Holme</i> ,	Mr. <i>Combs</i> ,
Mr. <i>Moores</i> ,	Mr. <i>Kinsey</i> ,	Mr. <i>Hand</i> ,	Mr. <i>Crane</i> ,
Mr. <i>Taylor</i> ,	Mr. <i>Hewlings</i> ,	Mr. <i>Tucker</i> ,	Mr. <i>Demarest</i> ,
Mr. <i>Lawrence</i> ,	Mr. <i>Paxson</i> ,	Mr. <i>Mehelm</i> ,	Col. <i>Ford</i> .
Mr. <i>Garritse</i> ,	Mr. <i>Sykes</i> ,	Mr. <i>Sheppard</i> ,	
Mr. <i>Fisher</i> ,	Mr. <i>Hinchman</i> ,	Mr. <i>Elmer</i> ,	
Mr. <i>Roy</i> ,	Mr. <i>Price</i> ,	Mr. <i>Van Horne</i> ,	
Mr. <i>Dey</i> ,	Mr. <i>Gibbon</i> ,	Mr. <i>Pettit</i> .	

But a Debate arising whether the said Col. *Ogden* be examined before the House, or his Affidavit be taken before a Magistrate, in the Presence of a Committee of this House; on the Question, it was carried for taking the Affidavit before the Magistrate :

Yeas.	Yeas.	Yeas.	Nays.
Mr. <i>Combs</i> ,	Mr. <i>Demarest</i> ,	Mr. <i>Holme</i> ,	Mr. <i>Garritse</i> ,
Mr. <i>Wetherill</i> ,	Mr. <i>Kinsey</i> ,	Mr. <i>Hand</i> ,	Mr. <i>Fisher</i> ,
Mr. <i>Moores</i> ,	Mr. <i>Hewlings</i> ,	Mr. <i>Tucker</i> ,	Mr. <i>Roy</i> ,
Mr. <i>Taylor</i> ,	Mr. <i>Paxson</i> ,	Mr. <i>Mehelm</i> ,	Col. <i>Ford</i> ,
Mr. <i>Lawrence</i> ,	Mr. <i>Sykes</i> ,	Mr. <i>Sheppard</i> ,	Mr. <i>Winds</i> ,
Mr. <i>Crane</i> ,	Mr. <i>Hinchman</i> ,	Mr. <i>Elmer</i> ,	Mr. <i>Gibbon</i> ,
Mr. <i>Dey</i> ,	Mr. <i>Price</i> ,	Mr. <i>Van Horne</i> .	Mr. <i>Pettit</i> .

Ordered,

That Mr. *Kinsey*, Mr. *Fisher*, Mr. *Crane*, Mr. *Hinchman*, Mr. *Mehelm* and Mr. *Winds*, or any three of them, be a Committee to examine and take the Affidavit of Col. *Ogden* before the Chief-Justice, and lay the same before this House, and that such Members as choose may attend the said Examination;

And as to the Remainder of the said Message, relative to the Convicts in *Morris* County Gaol;

Resolved, Nem. Con.

That it is the Opinion of this House that it is improper to send for and examine the said Convicts.

Ordered,

That Mr. *Lawrence* and Mr. *Sykes* do wait on the Governor and inform him, that the House have taken into Consideration his Message of this Morning relative to Col. *Ogden*, and have come to a Determination, that a Committee of the House should be present at his Examination, to be taken in Writing before Chief-Justice *Smith*; that with respect to the Convicts in *Morris* County Gaol, the House are of Opinion that it is not proper to send for or examine them.

Mr. *Sheppard*

Mr. *Sheppard* had Leave of Absence upon extraordinary Occasions until *Wednesday* Morning next.

The House adjourned till Nine o'Clock To-morrow Morning.

Friday, December 3, 1773.

The House met.

Mr. *Lawrence* reported, That Mr. *Sykes* and Himself delivered the Message of Yesterday to His Excellency, according to Order.

Mr. *Hinchman* reported, That Mr. *Sheppard* and Himself delivered the Bill with them intrusted to Mr. *Ogden*, one of the Gentlemen of the Council, the Council not sitting.

Mr. *Mehelm* had Leave of Absence upon extraordinary Occasions until *Wednesday* next.

Mr. *Tucker*, from the Committee to whom the Bill, entitled, *An Act for more effectually suppressing Vice and Immorality*, was committed, reported the same with several Amendments thereto; and the Bill was read with the Amendments in their Places; after some Time spent therein, the further Consideration thereof was referred till the Afternoon.

The House adjourned till Two, P. M.

The House met.

Mr. *Fisher*, from the Committee appointed to that Service, brought in a Bill, entitled, *An Act for the more equitable Manumission of Slaves, and other Purposes concerning them*; which was read, and ordered a second Reading.

The House resumed the Consideration of the Bill *for suppressing Vice and Immorality* with the Amendments; and after some Time spent therein,

Ordered,

That the said Bill be re-committed to the same Committee.

A Petition was presented to the House from *Charles Sudam* and *John Duykinck*, praying a Reimbursement of Monies by them expended in building the Bridge over the River *Raritan* at *Raritan-Landing*; the same was read, and ordered a second Reading.

Mr. *Paxson*, in Behalf of the Petitioners, and in Pursuance of the Leave granted, brought in a Bill, entitled, *An Act to enable sundry of the Owners and Possessors of Meadows and Tide Marsh lying on English's Creek in the County of Burlington, to erect and maintain a Bank, Dam and other Waterworks across the said Creek, in order to prevent the Tide from overflowing the same, and to keep the former Watercourse of said Creek open and clear, and to make the said Dam when erected a publick Landing*; which was read, and ordered a second Reading.

Mr. *Hinchman*, by Leave of the House, brought in a Bill, entitled, *An Act more effectually to regulate all Carriages of Burden within this Colony*; which was read, and ordered a second Reading.

Mr. *Paxson*

Mr. Paxson, with Leave of the House, brought in a Bill, entitled, *An Act to regulate the Packing of Beef and Pork, and to ascertain the Size of Casks*; which was read, and ordered a second Reading.

The House adjourned till Nine o'Clock To-morrow Morning.

Saturday, December 4, 1773.

The House met.

Mr. Holme had Leave of Absence on extraordinary Business till Wednesday next.

A Petition from fundry Freeholders and Inhabitants of Gloucester County was presented and read, setting forth Reasons against the Bill now before the House for restraining the Practice of Foxhunting in that County; which was ordered a second Reading.

The Engrossed Bill, entitled, *An Act to enable the Owners and Possessors of the Meadows and Marsh adjoining Rapaupa Creek, in the County of Gloucester, to erect; cast up, repair and maintain a Dam and Bank and Waterworks sufficient to prevent the Tide from overflowing the same*; was read and compared; upon the Question,

Resolved,

That the same do pass.

Ordered,

That Mr. Price and Mr. Sykes do carry the said Bill to the Council for Concurrence.

A Petition was presented to the House and read from divers Inhabitants of the Counties of Somerset and Middlesex, praying a Law or Laws for prohibiting the Importation of Slaves, and for the more easy Manumission of them.

A Message from His Excellency by Mr. D. Secretary Pettit.

A MESSAGE to the ASSEMBLY.

GENTLEMEN,

THOMAS KENNEY, Esq. the High Sheriff of the County of Morris is now in Burlington, and as I am told he is acquainted with most if not all the Circumstances relative to the Confessions of Reynolds and Cooper, I give you this Information that you may, if you think fit, examine him concerning the Manner in which those Confessions were made, and what they said respecting the Robbery of the Treasury.

Dec. 4, 1773.

WM. FRANKLIN.

Which was read:

Ordered,

That the Examination of Mr. Kenney be taken before the Chief-Justice, and that the Committee appointed to attend Col. Ogden's Examination do also attend the Examination of Mr. Kenney.

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Mr. Tucker

Mr. *Tucker* and Mr. *Sykes* had Leave of Absence till Two o'Clock on Monday next.

The Petition from *Charles Sudam* and *John Duykinck*, acting Managers for building the Bridge at *Raritan-Landing*, for Payment of the Money advanced by them, about the Bridge more than was allowed by Law, was read the second Time; on the Question,

Ordered,

That the Consideration thereof be referred to next Session.

The House adjourned till Monday Morning Ten o'Clock.

Monday, December 6, 1773.

The House met.

Mr. *Fisher*, from the Committee appointed for the Purpose, brought in a Bill, entitled, *An Act for regulating Roads and Bridges*; which was read, and ordered a second Reading.

The House adjourned till Two, P. M.

The House met.

A Petition from sundry Inhabitants of the County of *Middlesex* was presented and read, setting forth the miserable Condition of Slaves, and praying a Law against their Importation, and to make the Manumission of them more easy.

Mr. *Price* reported, That Mr. *Sykes* and Himself delivered the Bill with them intrusted to the Speaker in Council.

The Bill, entitled, *An Act to enable sundry of the Owners and Possessors of Meadows and Tide Marsh lying on English's Creek in the County of Burlington, to erect and maintain a Bank, Dam and other Waterworks across the said Creek, in order to prevent the Tide from overflowing the same, and to keep the former Watercourse of said Creek open and clear, and to make the said Dam when erected a publick Landing*, was read the second Time; and upon the Question agreed to, and ordered to be engrossed.

The Bill, entitled, *An Act to restrain the Practice of Foxhunting in the County of Gloucester*, was read the second Time; on the Question,

Ordered,

That the same do lie on the Table.

According to Order the Parties for and against a Law for making *Affiscunk* Creek a lawful Fence attending, were called in, and their several Allegations fully heard.

Ordered,

That the Consideration thereof be deferred till To-morrow Afternoon.

A Memorial was presented to the House from the Honorable *Stephen Skinner*, Esq. one of the Treasurers of this Province, setting forth, That the Memorialist being very uneasy at the Dissatisfaction which has happened on Account of the Robbery of the Eastern Treasury, and being also sensible

fenfible that the speedy Determination of that Matter will greatly tend to the publick Utility of this Colony, doth request that ſome equal Meaſures may be ſpeedily fallen upon to adjust the ſame; and that the Houſe may be aſſured that the Memorialiſt is ready and deſirous to agree and comply with every practicable Method to have a Trial at Law in the uſual Way, and that ſhould ſome other Method more ſalutary be thought expedient, and not over prejudicial to the Memorialiſt, he will readily and cheerfully comply therewith; the ſame was read, and ordered a ſecond Reading.

The Houſe adjourned till Nine o'Clock To-morrow Morning.

Tuesday, December 7, 1773.

The Houſe met.

Mr. *Lawrence*, from the Committee to whom the Bill, entitled, *A ſupplementary Act to an Act, entitled, An Act for the regulating Fences*, was committed, reported the ſame with ſeveral Amendments thereto; and the Bill was read with the Amendments in their Places; and the Bill being further amended in the Houſe, on the Queſtion, the ſame as amended was agreed to, and ordered to be engroſſed.

The Engroſſed Bill, entitled, *An Act to enable ſundry of the Owners and Poſſeſſors of Meadows and Tide Maſh lying on Engliſh's Creek in the County of Burlington, to erect and maintain a Bank, Dam and other Water-works acroſs the ſaid Creek, in order to prevent the Tide from overflowing the ſame, and to keep the former Watercourſe of ſaid Creek open and clear, and to make the ſaid Dam when erected a publick Landing*, was read and compared; on the Queſtion,

Resolved,

That the ſame do paſs.

Ordered,

That Mr. *Hewlings* and Mr. *Sykes* do carry the Bill to the Council for Concurrence.

The Houſe adjourned till Two, P. M.

The Houſe met.

The Engroſſed Bill, entitled, *A ſupplementary Act to an Act, entitled, An Act for the regulating Fences*, was read and compared; on the Queſtion,

Resolved,

That the ſame do paſs.

Ordered,

That Mr. *Combs* and Mr. *Elmer* do carry the ſaid Bill to the Council for Concurrence.

A Meſſage from the Council by Mr. *Parker*, acquainting the Houſe, That the Council have paſſed the Bill, entitled, *An Act to ſuſpend the Proſecution of the County Collector of Cape-May for a limited Time*, without any Amendment.

Ordered,

Ordered,

That the Consideration of the several Petitions for and against a Law for making *Affiscunk* Creek a lawful Fence, be deferred till *Saturday* next.

The Bill, entitled, *An Act for regulating Roads and Bridges*, was read the second Time, and committed to a Committee of the whole House ;

Ordered,

That the said Committee do sit To-morrow Morning.

The House adjourned till Nine o'Clock To-morrow Morning.

Wednesday, December 8, 1773.

The House met.

Mr. *Hewlings* reported, That Mr. *Sykes* and Himself delivered the Bill with them intrusted to the Speaker in Council.

Mr. *Combs* reported, That Mr. *Elmer* and Himself delivered the Bill with them intrusted to the Speaker in Council.

A Message from the Council by Mr. *Stockton*, acquainting the House, That the Council have this Day passed the Bill, entitled, *An Act to naturalize Jacob Chesnutwood*, without any Amendment.

According to Order the House resolved itself into a Committee of the whole House on the Bill for *regulating Roads and Bridges* ; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported, that the Committee had made some Progress in the Bill, and desired Leave to sit again ;

Ordered,

That the said Committee do sit again this Afternoon.

The House adjourned till Two, P. M.

The House met.

According to Order the House again resolved itself into a Committee of the whole House on the Bill for *regulating Roads and Bridges* ; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported, that the Committee had made some further Progress in the Bill, and desired Leave to sit again ;

Ordered,

That the said Committee do sit again To-morrow Morning.

A Message from the Council by Mr. *Stockton*, desiring the Concurrence of this House to certain Amendments made by the Council to the Bill, entitled, *An Act for erecting a Dam, Mills and other Water-works on Nacut Creek in the County of Gloucester; and to indemnify those whose Property may be injured thereby.*

The same were read, and, upon the Question, the House agreed to the said Amendments.

Ordered,

That the Bill be re-engrossed with the Council's Amendments.

Mr. *Winds*

Mr. *Winds* had Leave of Absence upon urgent Occasions till *Tuesday* Morning next.

A Message from the Council by Mr. *Parker*, informing the House, that the Council have passed the Bill, entitled, *An Act to repair and amend the publick Roads and Streets in the Northern Ward of the City of Perth-Amboy, and to repair the Town Wharf in the said City by a Tax on the Inhabitants of the said Northern Ward, and for other Uses and Purposes therein mentioned*, without any Amendment.

The House adjourned till Nine o'Clock To-morrow Morning.

Thursday, December 9, 1773.

The House met.

Two Petitions from the County of *Hunterdon*, and one from the County of *Burlington*, were presented and read, all praying a Law to prohibit the Importation of Slaves, and to make the Manumission of them more easy.

The Bill Re-engrossed with the Council's Amendments, entitled, *An Act for erecting a Dam, Mills and other Waterworks on Nacut Creek, in the County of Gloucester, and to indemnify those whose Property may be injured thereby*, was read and compared; on the Question,

Ordered,

That Mr. *Speaker* do sign the same.

Ordered,

That Mr. *Price* and Mr. *Hewlings* do carry the said Bill to the Council.

The House again, according to Order, resolved itself into a Committee of the whole House on the Bill for regulating Roads and Bridges; and, after some Time spent therein, Mr. *Speaker* resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported, that the Committee had made some further Progress in the Bill, and desired Leave to sit again.

Ordered,

That the said Committee do sit again this Afternoon.

The House adjourned till Two, P. M.

The House met.

According to Order the House again resolved itself into a Committee of the whole House on the Bill for regulating Roads and Bridges; and, after some Time spent therein, Mr. *Speaker* resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported, that the Committee had gone through the Bill, and had made sundry Amendments thereto, which he was ready to report whenever the House will please to receive the same;

Ordered,

That the Report be made To-morrow Morning.

T

Mr.

Mr. Price reported, That Mr. *Hewlings* and Himself delivered the Bill with them intrusted to Mr. *Ogden*, one of the Gentlemen of the Council, the Council not sitting.

A Memorial was presented to the House from the Honorable *Daniel Coxe*, Esq. setting forth Reasons against the Prayer of *Elijah Bond's* Petition for ascertaining the Rates of his Ferry over the River *Delaware*; the said Memorial was read, and ordered a second Reading.

Mr. D. Secretary laid before the House His Majesty's Royal Approbation of an Act of Assembly of this Colony, and also His Majesty's Royal Disallowance of sundry Acts of Assembly of this Colony; which were read, and the same are as follow, viz.

At the COURT at *St. James's* the 1st Day of *September* 1773.

P R E S E N T

The KING's MOST EXCELLENT MAJESTY,

ARCHBISHOP of CANTERBURY, LORD NORTH,

LORD CHAMBERLAIN,

HANS STANLEY, ESQ.

EARL of ROCHFORD,

RICHARD RIGBY, ESQ.

EARL of POMFRET,

SIR JOHN GOODRICKE.

VISCOUNT BARRINGTON,



WHEREAS by Commission under the Great Seal of *Great-Britain*, the Governor, Council and Assembly of His Majesty's Colony of *New-Jersey*, are authorized and impowered to make, constitute and ordain, Laws, Statutes and Ordinances for the publick Peace, Welfare and good Government of the said Colony; which Laws, Statutes and Ordinances are to be as near as conveniently may be agreeable to the Laws and Statutes of this Kingdom, and are to be transmitted to His Majesty for His Royal Approbation or Disallowance: And whereas, in Pursuance of the said Powers, an Act was passed in the said Colony in *September* 1772, entitled,


An Act to enable all Persons who are His Majesty's liege Subjects, either by Birth or Naturalization, to inherit and hold Real Estates, notwithstanding any Defect of Purchases made before Naturalization within this Colony.

Which Act, together with a Representation from the Lords Commissioners for Trade and Plantations thereupon, having been referred to the Consideration of a Committee of the Lords of His Majesty's Most Honorable Privy Council for Plantation Affairs, the said Lords of the Committee did this Day Report as their Opinion, that it might be advisable for His Majesty in the present Instance to signify his Royal Allowance of the said Act: His Majesty taking the same into Consideration was pleased, with the Advice of his Privy Council, to Declare his Allowance of the said Act; and pursuant to His Majesty's Royal Pleasure thereupon expressed, the said Act is hereby Confirmed, finally
Enacted

Enacted and Ratified accordingly; whereof the Governor or Commander in Chief of His Majesty's said Colony of *New-Jersey* for the Time being, and all others whom it may concern, are to take Notice and govern themselves accordingly.

STEPHEN COTTRELL.

At the COURT at *St. James's* the 1st Day of *September* 1773,
PRESENT

	The KING's MOST EXCELLENT MAJESTY,	
	ARCHBISHOP of CANTERBURY, LORD NORTH,	
	LORD CHAMBERLAIN,	HANS STANLEY, ESQ.
	EARL of ROCHFORD,	RICHARD RIGBY, ESQ.
	EARL of POMFRET	SIR JOHN GOODRICKE.
	VISCOUNT BARRINGTON,	

WHEREAS by Commission under the Great Seal of *Great-Britain* the Governor, Council and Assembly of His Majesty's Colony of *New-Jersey*, are authorized and impowered to make, constitute and ordain, Laws, Statutes and Ordinances for the publick Peace, Welfare and good Government of the said Colony; which Laws, Statutes and Ordinances are to be as near as conveniently may be agreeable to the Laws and Statutes of this Kingdom, and are to be transmitted for His Majesty's Royal Approbation or Disallowance: And Whereas, in Pursuance of the said Powers, three Acts were passed in the said Colony in *August* and *September* 1772, and transmitted, entitled as follows, *viz.*

An Act to Naturalize John Felthausen.

An Act for the Relief of Benjamin Ayars, now a Prisoner in the Gaol of the County of Cumberland.

An Act to Dissolve the Marriage of David Baxter with Margaret his Wife, late Margaret M'Murtry.

Which Acts, together with a Representation from the Lords Commissioners for Trade and Plantations thereupon, having been referred to the Consideration of a Committee of the Lords of His Majesty's Most Honorable Privy Council, the said Lords of the Committee did this Day report as their Opinion to His Majesty, that the said Acts ought to be Disallowed: His Majesty taking the same into Consideration was pleased, with the Advice of His Privy Council, to declare his Disallowance of the said Acts; and pursuant to His Majesty's Royal Pleasure thereupon expressed, the said Acts are hereby Disallowed, declared void and of none Effect; whereof the Governor or Commander in Chief of His Majesty's said Colony of *New-Jersey* for the Time being, and all others whom it may concern, are to take Notice, and govern themselves accordingly.

STEPHEN COTTRELL.

The

The House adjourned till Nine o'Clock To-morrow Morning.

Friday, December 10, 1773.

The House met.

According to Order Mr. *Fisher*, from the Committee of the whole House, made a Report of the Bill for regulating Roads and Bridges, together with the Amendments made to the same; and the Bill was read Paragraph by Paragraph with the Amendments in their Places; and the Bill being further amended in the House, on the Question, the same as amended was agreed to, and ordered to be engrossed.

The House adjourned till Two, P. M.

The House met.

Mr. *Gibbon*, from the Committee to whom the Bill, entitled, *An Act to enable the Owners and Possessors of Marshes, Meadow and Swamps bounding on the Southwest Side of Raccoon Creek, between the Banks of Constantine Wilkins and Conrad Shoemaker, in the Township of Woolwich and County of Gloucester, known by the Name of the Thoroughfare Island Marshes, Meadows and Swamps, to stop out the Tide from overflowing the same, and for other Purposes, therein mentioned*, was committed; reported the same with fundry Amendments thereto; and the Bill was read with the Amendments in their Places; and the Bill being further amended in the House, on the Question, the same as amended was agreed to, and ordered to be engrossed.

A Message from the Council by Mr. *Lawrence*, desiring the Concurrence of this House to certain Amendments made by the Council to the Bill, entitled, *A supplementary Act to an Act, entitled, An Act for the regulating Fences*; the same were read, and upon the Question agreed to by the House;

Ordered,

That the Bill be re-engrossed with the Council's Amendments.

Mr. *Tucker*, from the Committee to whom the Bill, entitled, *An Act for more effectually suppressing Vice and Immorality*, was recommended, reported the same without any Amendment; and the same was read, and upon the Question agreed to, and ordered to be engrossed.

On a Motion made,

Ordered,

That Mr. *Fisher* have Leave to bring in a Bill for repairing the Roads of the Township of *Bedminster*, in the County of *Somerset*, by a Tax on the Inhabitants of the same.

The Bill, entitled, *An Act for rebuilding, repairing and maintaining the Drawbridge over Crosswicks Creek, in the County of Burlington, and for repairing the Causeways adjoining said Bridge*, was read the second Time, and committed to Mr. *Tucker*, Mr. *Demarest* and Mr. *Van Horne*.

Mr.

Mr. *Lawrence* had Leave of Absence till Monday Noon.

The House adjourned till Nine o'Clock To-morrow Morning.

Saturday, December 11, 1773.

The House met.

The Bill, Re-engrossed, with the Council's Amendments, entitled, *A supplementary Act to an Act, entitled, An Act for regulating Fences*, was read and compared ;

Ordered,

That Mr. Speaker do sign the same.

Ordered,

That Mr. *Wetherill* and Col. *Ford* do carry the said Bill to the Council.

The House, according to Order, resumed the Consideration of the several Petitions for and against a Law for making *Affiscunk* Creek a lawful Fence ; on the Question,

Ordered,

That the Petition for the Law do lie on the Table.

His Excellency's Speech was read the second Time, and committed to a Committee of the whole House :

The House accordingly resolved itself into a Committee of the whole House on His Excellency's Speech ; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported, that the Committee had come to several Resolutions, which he was ready to report whenever the House will please to receive the same ; and that the Committee desired Leave to sit again ;

Ordered,

That the said Report be made immediately, and that the Committee have Leave to sit again :

Whereupon Mr. *Fisher* reported the Resolutions of the Committee, as follow, viz.

1. *Resolved,*

That an humble Address be presented to His Excellency, in Answer to his favorable Speech. To which the House agreed.

2. *Resolved,*

That a Bill be brought in to make it Felony to counterfeit the Silver and Gold Coins of foreign Countries current in this Colony, or uttering the same knowing them to be Counterfeit. To which the House agreed.

3. *Resolved,*

That the Government of this Colony be honorably supported from the First Day of *October* 1773 to the First Day of *October* 1774. To which the House agreed.

The Petition from sundry Owners of the *Drowned Lands*, in the County of *Suffex*, praying a Law similar to a late *New-York* Law for draining the said Lands, was read the second Time, together with an Affidavit of publick Notice having been given of this Application ;

Ordered,

That the Petitioners have Leave to bring in a Bill accordingly :

Whereupon Mr. *Pettit*, in Behalf of the Petitioners, brought in a Bill, entitled, *An Act to enable sundry Persons Proprietors of certain Lands and Meadows lying upon the Walkill in the County of Suffex, commonly called and known by the Name of the Drowned Lands, to drain the same, and for other Purposes therein mentioned ;* which was read, and ordered a second Reading.

A Petition was presented to the House from sundry Inhabitants of the Counties of *Essex*, *Morris* and *Bergen*, setting forth, That a most iniquitous Practice has been followed of destroying Horned Cattle, and other Cattle in the Woods, for the Sake of the Hides, and praying a Law to suppress this Practice ; the Petition was read, and ordered a second Reading.

Mr. *Sykes* had Leave of Absence till *Tuesday Morning*.

The House adjourned till *Monday Morning*, Ten o'Clock.

Monday, December 13, 1773.

The House met.

Mr. *Wetherill* reported, That Col. *Ford* and Himself delivered the Bill with them intrusted to the Speaker in Council.

The Engrossed Bill, entitled, *An Act to enable the Owners and Possessors of Marshes, Meadows and Swamps, bounding on the Southwest Side of Raccoon Creek, between the Banks of Constantine Wilkins and Conrad Shoemaker, in the Township of Woolwich and County of Gloucester, known by the Name of the Thoroughfare Island Marshes, Meadows and Swamps, to stop out the Tide from overflowing the same, and for other Purposes therein mentioned,* was read and compared ; on the Question,

Resolved,

That the same do pass.

Ordered,

That Mr. *Hand* and Mr. *Elmer* do carry the said Bill to the Council for Concurrence.

The Engrossed Bill, entitled, *An Act for more effectually suppressing Vice and Immorality,* was read and compared ; on the Question,

Resolved,

That the same do pass.

Ordered,

That Mr. *Tucker* and Mr. *Lawrence* do carry the said Bill to the Council for Concurrence.

Pursuant to the Leave granted Mr. *Fisher* brought in a Bill, entitled, *An Act to revive Part of an Act, entitled, An Act to empower the Inhabitants of the Townships of Bridgwater and Bedminster, in the County of Somerset, to repair their publick Highways by Hire,*
and

and to raise Money for that Purpose ; which was read, and ordered a second Reading.

The Bill, entitled, *An Act for the better regulating the Tanning of Leather for Sale in the Colony of New-Jersey*, was read the second Time ; on the Question, Whether the same be committed or not ? It passed in the Negative ;

Ordered,

That the said Bill do lie on the Table.

Mr. Kinsey had Leave of Absence upon urgent Business until Thursday Morning.

The Bill, entitled, *A supplementary Act to an Act, entitled, An Act for laying a Duty on the Purchasers of Slaves imported into this Colony* ; and the Bill, entitled, *An Act to regulate the Manumission of Slaves* ; were severally read the second Time, and committed to Mr. Hinchman, Mr. Tucker, Mr. Mehelm, Col. Ford, and Mr. Holme.

The House adjourned till Two, P. M.

The House met.

Mr. Tucker reported, That Mr. Lawrence and Himself delivered the Bill with them intrusted to the Speaker in Council.

Mr. Tucker, from the Committee to whom the Bill, entitled, *An Act for rebuilding, repairing and maintaining the Drawbridge over Crosswicks Creek, in the County of Burlington, and for repairing the Causeways adjoining said Bridge*, was committed, reported the same, with several Amendments thereto ;

The said Bill was read with the Amendments in their Places ; and the same being further amended in the House, the Bill, as amended, was agreed to by the House, and ordered to be engrossed.

Mr. Hand reported, That Mr. Elmer and Himself delivered the Bill with them intrusted to Mr. Lawrence, one of the Gentlemen of the Council, the Council not sitting.

The Petition from *Ralph Smith* and others, praying a Bounty on Hemp and Flax raised within this Colony, was read the second Time ; on the Question,

Ordered,

That the said Petition do lie on the Table.

The Petition from *Essex, Morris and Bergen*, praying a Law to suppress the Practice of killing Cattle clandestinely, was read the second Time ;

Ordered,

That Mr. Crane, Mr. Dey, Mr. Moores and Mr. Van Horne, be a Committee to prepare and bring in a Bill for the Purpose aforesaid.

The House adjourned till Nine o'Clock To-morrow Morning.

Tuesday, December 14, 1773.

The House met.

The Engrossed Bill, entitled, *An Act for rebuilding, repairing and maintaining*

maintaining the Drawbridge over Croffwicks Creek, in the County of Burlington, and for repairing the Causeways adjoining said Bridge, was read and compared ; on the Question,

Resolved,

That the same do pass.

Ordered,

That Mr. *Mehelm* and Mr. *Hewlings* do carry the said Bill to the Council for Concurrence.

A Petition was presented to the House and read, from sundry Freeholders and Inhabitants of the County of *Burlington*, praying a Continuance of the Act for raising a Fund for defraying Damages done by Dogs in the Counties of *Somerset*, *Hunterdon*, *Burlington* and *Gloucester*;

Ordered,

That the Petition be read a second Time.

Mr. *Paxson*, from the Committee to whom the Bill, entitled, *An Act to postpone the Payment of the Provincial Taxes into the Treasury of this Colony for one Month, and for other Purposes therein mentioned*, was committed, reported the same with sundry Amendments thereto; and the said Bill was read with the Amendments in their Places; and the Bill being further amended in the House, the same as amended was agreed to, and ordered to be engrossed.

In Pursuance of the Leave granted last Session Mr. *Wetherill*, in Behalf of the Petitioners, brought in a Bill, entitled, *An Act to enable the Owners and Possessors of Lands, Meadows, Swamps and Marshes, on both Sides of Assunpink Brook, from the Province Line to the Lands of John Ely, to clear the Obstructions to the free Passage of the Waters of the said Brook, and for other Purposes therein mentioned*; which was read, and ordered a second Reading.

Mr. *Fisher*, according to the Leave granted, brought in a Bill, entitled, *An Act to alter the Time of holding the annual Town-Meetings within this Colony*; which was read, and ordered a second Reading.

The Bill, entitled, *An Act to revive Part of an Act entitled, An Act to empower the Inhabitants of the Townships of Bridgewater and Bedminster in the County of Somerset, to repair their publick Highways by Hire, and to raise Money for that Purpose*; was read the second Time, agreed to by the House, and ordered to be engrossed.

The House adjourned till Two, P. M.

The House met.

The Engrossed Bill, entitled, *An Act to revive Part of an Act, entitled, An Act to empower the Inhabitants of the Townships of Bridgewater and Bedminster in the County of Somerset, to repair their publick Highways by Hire, and to raise Money for that Purpose*, was read and compared; on the Question,

Resolved,

That the same do pass.

The

The Engrossed Bill, entitled, *An Act to postpone the Payment of the Provincial Taxes into the Treasury of this Colony for one Month, and for other Purposes therein mentioned*; was read and compared; on the Question,

Resolved,

That the same do pass.

Ordered,

That Mr. Roy and Mr. Elmer do carry the said two Bills to the Council for Concurrence.

Mr. Mehelm reported, That Mr. Hewlings and Himself delivered the Bill with them intrusted to the Speaker in Council.

Pursuant to an Order made at last Session, Mr. Sykes brought in a Bill, entitled, *An Act for the Settlement and Relief of the Poor*; which was read, and ordered a second Reading.

Mr. Roy reported, That Mr. Elmer and Himself delivered the two Bills with them intrusted to the Speaker of the Council, the Council not sitting.

The several Petitions praying for an Emission of Paper Bills of Credit to be let out on Loan in this Colony, were read the second Time, and referred to the Committee of the whole House on His Excellency's Speech.

Mr. Hinchman had Leave of Absence upon special Occasion.

The House adjourned till Nine o'Clock To-morrow Morning.

Wednesday, December 15, 1773.

The House met.

The Bill, entitled, *An Act to enable sundry Persons Proprietors of certain Lands and Meadows lying upon the Walkill in the County of Suffex, commonly called and known by the Name of the Drowned Lands, to drain the same, and other Purposes therein mentioned*; was read the second Time, and committed to Col. Ford, Mr. Van Horne and Mr. Winds.

The Bill, entitled, *An Act for the Settlement and Relief of the Poor*, was read the second Time, and committed to a Committee of the whole House.

TWO Messages from the Council by Mr. Stockton, informing the House, That the Council have passed the Bill, entitled, *An Act for rebuilding, repairing and maintaining the Drawbridge over Crosswicks Creek in the County of Burlington, and for repairing the Causeways adjoining said Bridge*; and also the Bill, entitled, *An Act to enable sundry of the Owners and Possessors of Meadows and Tide Marsh lying on English's Creek, in the County of Burlington, to erect and maintain a Bank, Dam and other Waterworks across the said Creek, in order to prevent the Tide from overflowing the same, and to keep the former Watercourse of said Creek open and clear, and to make the said Dam when erected a publick Landing, without any Amendment.*

The House resolved itself into a Committee of the whole House on the Bill *for the Settlement and Relief of the Poor* ; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported, that the Committee had made some Progress in the Bill, and desired Leave to sit again ;

Ordered,

That the said Committee do sit again this Afternoon.

The House adjourned till Two, P. M.

The House met.

TWO Messages from the Council by Mr. *Parker*, informing the House, That the Council have passed the Bill, entitled, *An Act to enable the Owners and Possessors of Marshes, Meadows and Swamps bounding on the Southwest Side of Raccoon Creek, between the Banks of Constantine Wilkins and Conrad Shoemaker, in the Township of Woolwich, and County of Gloucester, known by the Name of the Thoroughfare Island Marshes, Meadows and Swamps, to stop out the Tide from overflowing the same, and for other Purposes therein mentioned* ; the Bill, entitled, *An Act to revive Part of an Act, entitled, An Act to empower the Inhabitants of the Townships of Bridgwater and Bedminster in the County of Somerset, to repair their publick Highways by Hire, and to raise Money for that Purpose* ; and the Bill, entitled, *An Act to postpone the Payment of the Provincial Taxes into the Treasury of this Colony for one Month, and for other Purposes therein mentioned*, without any Amendment.

The House again resolved itself into a Committee of the whole House on the Bill *for the Settlement and Relief of the Poor* ; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported, that the Committee had made some further Progress in the Bill, and desired Leave to sit again ;

Ordered,

That the said Committee do sit again To-morrow Morning.

The House adjourned till To-morrow Morning Nine o'Clock.

Thursday, December 16, 1773.

The House met.

According to Order the House again resolved itself into a Committee of the whole House on the Bill *for the Settlement and Relief of the Poor* ; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported, that the Committee had made some further Progress in the Bill, and desired Leave to sit again ;

Ordered,

That the said Committee do sit again this Afternoon.

The House adjourned till Three, P. M.

The

The House met.

According to Order the House again resolved itself into a Committee of the whole House on the Bill for the Settlement and Relief of the Poor; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. Fisher, Chairman of the Committee, reported, that the Committee had gone through the Bill, and had made sundry Amendments thereto, which he was ready to report whenever the House will please to receive the same;

Ordered,

That the Report be made immediately:

Whereupon Mr. Fisher reported the said Bill and Amendments, and the same were read, and upon the Question the House agreed to the said Bill as amended;

Ordered,

That the said Bill as amended be engrossed.

A Petition from a large Number of Inhabitants of the Counties of Essex, Morris and Bergen, was presented and read, complaining of an iniquitous Practice prevailing in several Parts of killing Cattle clandestinely in the Woods for the Sake of the Hides;

Ordered,

That the said Petition be referred to the Committee appointed to bring in a Bill for the Suppression of the Practice aforesaid.

A Petition was presented to the House from Archibald Kennedy, Anna Schuyler, Arent Schuyler, Peter Dubois, John Jay and Josiah Hornblower, Executors of the Last Will and Testament of Col. John Schuyler, deceased, who was Executor to Col. Peter Schuyler, praying, for the Reasons therein contained, that a certain Bond given by the said Col. Peter Schuyler to the Western Treasurer of this Colony for £. 6000, may be cancelled, or that the Petitioners may be otherwise relieved against the same.

Which Petition, together with an Affidavit accompanying the same, was read, and ordered a second Reading.

The House adjourned till Nine o'Clock To-morrow Morning.

Friday, December 17, 1773.

The House met.

The Bill, entitled, *An Act for the more speedy Punishment of Horse-Stealers*, was read the second Time, and the Title altered, being now entitled, *A supplementary Act to an Act, entitled, An Act for the more effectual Discovery and Punishment of the Crime of Horse-stealing*, and the Act otherwise amended; upon the Question the same as amended was agreed to, and ordered to be engrossed.

Mr. Wetherill, from the Committee appointed on the 30th of November last, brought in a Report on the Matters referred to them; which was read, and ordered a second Reading.

A

A Message from the Council by Mr. *Coxe*, desiring the Concurrence of this House to sundry Amendments made by the Council to the Bill, entitled, *An Act for lowering the Interest of Money to Six per Cent within this Colony*; the said Bill was read with the Amendments in their Places, and upon the Question the House agreed to the said Amendments;

Ordered,

That the said Bill as amended be re-engrossed.

The House adjourned till Two, P. M.

The House met.

The Report of this Morning was read the second Time, and the Consideration thereof deferred till To-morrow Morning.

The House adjourned till Nine o'Clock To-morrow Morning.

Saturday, December 18, 1773.

The House met.

The Bill re-engrossed with the Council's Amendments, entitled, *An Act for lowering the Interest of Money to Six per Cent within this Colony*, was read and compared;

Ordered,

That Mr. Speaker do sign the same.

Ordered,

That Mr. *Sykes* and Mr. *Pettit* do carry the said Bill to the Council.

A Memorial was presented to the House from the Honorable *Stephen Skinner*, Esq. Treasurer of the Eastern Division of this Colony, in these Words, *viz.*

To the Honorable the House of REPRESENTATIVES of the Province of New-Jersey.

The MEMORIAL of STEPHEN SKINNER, Treasurer of the Eastern Division of the said Province,

Humbly Sheweth,

THAT it gives your Memorialist great Uneasiness to find that the Honorable House have come to no Resolutions on his last Memorial; he therefore begs Leave to renew his Application, and entreats that this Honorable House will direct a Suit at Law to be brought against him; to which, as he has before declared, he will appear, put in Bail, or enter into Recognizance, as shall be required; and should the Verdict of his Country be against him, he will without Delay resign his Office. This his just and reasonable Request, your Memorialist relies will be granted by the Representatives of the People of this Province; and he expects from the Justice of the House that Nothing will be done by them that may in the least tend to affect the Minds of the People, as he wishes and begs that he may have a just Determination of this Matter by a Verdict of his Country.

STEPHEN SKINNER.

Burlington, Dec. 17, 1773.

The same was read, and ordered a second Reading.

The House, according to Order, resumed the Consideration of the Report of Yesterday ; and, after some Time spent therein, the Question was put, Whether the Report be received and entered upon the Journals of this House or not ? It passed in the Affirmative as follows, *viz.*

Yeas.	Yeas.	Yeas.	Nays.
Mr. Combs,	Mr. Kinsey,	Mr. Hand,	Mr. Crane,
Mr. Wetherill,	Mr. Paxson,	Mr. Eldridge,	Mr. Garritse,
Mr. Moores,	Mr. Sykes,	Mr. Tucker,	Mr. Fisher,
Mr. Taylor,	Mr. Hinchman,	Mr. Mebelm,	Mr. Roy,
Mr. Lawrence,	Mr. Price,	Mr. Sheppard,	Mr. Demarest,
Mr. Dey,	Mr. Gibbon,	Mr. Elmer,	Col. Ford,
Mr. Winds,	Mr. Holme,	Mr. Van Horne.	Mr. Hewlings,
			Mr. Pettit.

Ordered,

That the Report be entered, and the same is as follows, *viz.*

IN Pursuance of the Orders of the House, your Committee have inspected the several Papers laid before the House relating to the counterfeiting of the Bills of Credit of this Colony, and the Robbery of the Eastern Treasury, and have taken under their Consideration His Excellency's Answer of the 29th of *November* last, the present Situation of the Treasury, and the Mode proper to be pursued to obtain Justice to the Colony.

In His Excellency's Speech at the Beginning of the present Session, he was pleased to declare, That, "From the Confessions of some of "them," (meaning as your Committee suppose, some of the Gangs of Villains taken up in the Eastern Part of the Province) "corroborated "by many *striking* Circumstances, the Affair of the Robbery of the "Treasury, which had remained so long enveloped in Darknefs, "has likewise been brought to Light."—The House, desirous of being informed by what *Means* this Discovery was so fully and clearly asserted, requested that the Governor would be pleased to give the Reasons for his Sentiments, and point out those Confessions and "*striking* Circumstances," which he alludes to as corroborating those Confessions, which occasioned the Answer of the 29th of *November*, now under the Consideration of your Committee, in which, after enumerating the Facts on which he founds his Opinion, he is pleased to tell the House "that there is both *positive* and circumstantial *Evidence* "to prove that *Ford* was concerned in the Robbery of the Treasury, "and as there is not the *least* of either to *prove* the contrary, I doubt "not but you will do me the Justice to acknowledge that I was right "in asserting that that Affair was brought to Light. But, however "that may be, I am fully convinced I shall stand justified in the Eyes "of the *impartial* Part of Mankind, as I do in my own Conscience. "How far those will be justified in either, who, after having *such* "Evidence laid before them, may *affect* to be of a contrary Opinion, "remains to be determined."

Your Committee having the Misfortune to differ in Opinion with His Excellency, and, apprehending that there is not "*both* positive and "circumstantial

“circumstantial Evidence to prove that *Ford* was concerned in the “Robbery of the Treasury,” think themselves under some Necessity of giving to the House a few Reasons for the Opinion which they entertain, because they wish to avoid the Imputation of being thought by the House, or indeed “by the impartial Part of Mankind,” under Prejudices of any Kind, and should be glad to convince both, that they do not “*affect*” to be of a contrary Opinion with His Excellency on this Subject.

The late Robbery of the Eastern Treasury is a Matter of serious Moment to the Colony, and may hereafter in its Consequences be highly detrimental to His Majesty’s Service—as at present it gives great Dissatisfaction to the Generality of the People of the Province. Money cannot be given by the Representatives to be put in the Hands of a Person in whose Care they have no Confidence, and who hath heretofore kept it with Negligence ; indeed it seems unreasonable to ask a Thing of this Nature. When an Opinion is declared fully, without the least Restriction, upon a Matter of such Consequence, and in Truth without any Necessity for so doing, it becomes the Duty of the House to inquire into the Foundation of that Opinion, lest their Silence should hereafter be construed into an Acknowledgment of the Justice of such Declaration.

Your Committee at first thought there was some small Ambiguity in the Expressions “has been brought to Light,” but as in the preceding Part of the Speech it is said to be “by the Confessions of some of them, “corroborated by many *striking Circumstances* ;” and in His Excellency’s Answer of the 29th of *November*, after setting forth those Confessions, and pointing out those Circumstances, he concludes that “there is both positive and circumstantial Evidence,” your Committee may with Propriety infer, that this Affair hath been brought to Light in His Excellency’s Opinion by such *Means* and such *Methods* as are laid down by the Constitution in order to bring Things to Light—which *alone* can be called with justice Evidence.

A contrary Construction your Committee apprehend, would be of the most dangerous Consequence to the Lives and Liberties of the People : It would not be right for a Person in his private Capacity to form and to publish an Opinion to the World relative to the Guilt of another on Oaths or Confessions, acquired by Means which cannot be justified, or on the Evidence of Persons who, by the Wisdom of the Law, are entirely deprived of Credibility : This would be giving one Man the Liberty to say Things highly detrimental to the Character of another which he could not vindicate : It is suffering a Person to pronounce a Man guilty, when the Law supposes and declares him innocent, on Grounds made to preserve the Subject from the Weakness and Credulity of Human Nature, and from the Prejudices of People disposed to believe a Thing conducive to a Purpose which they may have in View : It is allowing one Person to hold another up to View in a Light in which he may justly complain of being exposed, because, the Law supposing those Things to be produced, adjudges he shall not be declared guilty : But when in a publick Speech from a
Governor

Governor to the Representatives of the People in Assembly, met to do the publick Business, a Matter is said to be brought to Light, or it is said that there is both positive and circumstantial Proof of a Man's being concerned in a Crime of any Kind, by the Commission of which his Life becomes forfeit, all these Observations apply with still greater Force; hence it cannot be presumed that His Excellency would, without hearing the Party accused, pronounce him to be concerned in a Robbery unless he thought the Evidence produced was legal; and considering the Situation in which he stands as Governor of the Province, your Committee cannot apprehend he entertains *private* Sentiments either of the Guilt or Innocence of any Body without forming those Sentiments on some Rules which can be justified. Indeed if it is considered that a Governor alone is possessed of the Prerogative of the Crown to extend Mercy to Criminals even when convicted, though this Mercy cannot in all Cases be reasonably asked, yet that Justice may be demanded by all, let their general Character be what it may—how far it may be proper until a Man is convicted, or until a Fact is ascertained after a legal Manner, to give *any* Opinion, your Committee will not presume to determine.

In Order to pronounce publicly a Person concerned in a capital Crime, or whether a Fact is brought to Light, there should be some Rule to go by, or some Criterion by which to conduct the Inquiry—your Committee know none better than legal Rules; they think it better to adhere to these Rules, than to leave the most abandoned Villain open to either Conjectures or private Sentiments formed without, or in Opposition to, those legal Rules heretofore mentioned.

Your Committee having thus given some of the Reasons why the Evidence produced should be considered on legal Principles as the surest Guide, and apprehending a contrary Mode of Proceeding to be of dangerous Tendency, beg Leave to observe,

That among those Rules which the Law hath wisely laid down to be observed in conducting an Inquiry into the Truth of Facts, and without which the Lives and Properties of the Subject would be in great Danger; one is,

That Persons stigmatized are *totally* excluded from Testimony, for the Want of that Integrity which it is necessary a Witness should be possessed of, to ascertain any Thing—Thus, if a Man is convicted of Felony, or where he is a notorious and publick Criminal, he is to be intended as a man profligate and abandoned, not under those Principles which teach Probity and Veracity—all his Credit is over-balanced by the Stain of his Iniquity—and of Consequence such Testimony is to be *wholly* disregarded.

If this Rule be true, how can the Confessions mentioned in His Excellency's Answer of the 29th of *November* bring the Affair of the Robbery of the Treasury to Light? All of them, (the Confession of *David Reynolds* on the 17th of *August* excepted) were undoubtedly made by Men convicted of Crimes destroying their Credibility, and whilst under Sentence of Death. And if it be considered that *Reynolds's* first Confession was seven Days after the Court began, it may be reasonably

reasonably supposed his Confession stands in the same Point of Light. Confessions are no Evidence against any one but the Person confessing ; but such Confessions are mere Nullities which can receive no Corroboration.

David Reynolds, admitting his Confession of the 17th of *August* to be before indicted, is apprehended on a Warrant for a Crime punishable with Death, and being brought before the Court, acknowledges himself guilty ; but before, when under no legal Obligation to speak the Truth, he expresses himself in such a Way as that a Presumption is formed, that *Ford* was concerned in the Robbery of the Treasury.

On the 17th of *September*, the Day of his Execution, he is examined a second Time, and to give this second Examination an Appearance of Credibility, he is sworn, confirms his former Confession, and is taken out and executed.

Several Weeks after his Execution the Judge applies to the Minister who sometimes attended him after his Condemnation, who gives a Certificate mentioning that *Reynolds* told him what he had before confessed. On these His Excellency is pleased to declare that he might safely rest the Proofs of his having had sufficient Authority to say that the Affair of the Robbery was brought to Light.

Before your Committee proceed to the Examination of those Confessions permit them to observe,

That they believe it to be the first Instance in this Colony where a Person, accused of one capital Crime, is permitted, after Sentence of Death is passed on him for such Crime, to swear another Person to be guilty of a different Crime, and that Oath relied on, after the Execution of the Criminal, as positive Evidence to prove such capital Crime.

When it is considered, that this Confession on Oath is taken in the Absence of the Party accused, your Committee conceive it to be a new Mode of acquiring positive Evidence.

But however this positive Evidence may be acquired, on which His Excellency says he could "safely rest"—let your Committee consider the Purport of these Confessions, and they hope to be able to make it appear that they do not amount to positive Proof that *Ford* was concerned in the Robbery of the Treasury, or that *Ford* robbed the Treasury.

The Words in the several Examinations of *Reynolds*, which appear to your Committee to have been relied on as this positive Proof, are to the following Purport :

That *Samuel Ford* declared to *Reynolds*, "he had had good Luck, "and would let him have an £. 100"—that being asked how he came by it ? he replied, "Have you not heard that the Treasury was "robbed ? I have got hold of one End of it"—that *Ford* lent to *Reynolds* afterwards £. 110, and said Part of it was Treasury Money. That this Money was cut out of *Sheets*, for that when *Reynolds* entered the "Room he saw a Sheet consisting of three Bills of the "Likeness of the Paper Currency of *New-Jersey* lying on the Table, "to wit, one Bill of *Thirty Shillings* at the Top, one ditto of *Fifteen "Shillings* next below, and last of all one Bill of *Twelve Shillings*," which *Ford* said was Treasury Money — that the Bills so given to

Reynolds

Reynolds in Sheets were, as he believes, true Bills of Credit of this Province; “and, that from all that passed between this Examinant and said *Ford*, he thinks and verily believes that the said Bills were Part of the Bills of Credit of this Province of which the Treasury was robbed in the Year 1768”—that this Examinant sent one of those Bills by *Thomas Anderjon*, Esq. to *Burlington*, where it was examined, approved of, and adjudged to be good.

On which your Committee beg Leave to observe, that,

1. This Story is hardly probable, because *Ford* on all Hands is agreed to be an artful and subtle Villain; his whole Conduct shows it; he trusted no Body more than was absolutely necessary to carry on the Business in which he was engaged; *Cooper*, his “Bosom Friend,” does not appear to have been acquainted with the Place where he made his Money; can it be reconciled with Probability that *Ford*, of his own Accord, and without any Necessity for so doing, should have told *Reynolds* that he had got hold of one End of the Treasury, if it had been true in the Light it is now taken?

2. Amongst Rogues there is always some Mistrust: *Ford* must have been well acquainted with the Rewards offered to apprehend the Robbers, and it seems improbable that he would have subjected himself to *Reynolds*’s Information without some Necessity to induce him to do it.

3. It appears *Ford* had so little Confidence in *Reynolds* that he did not willingly permit him to see *Ford* cut the Money out of Sheets. *Reynolds* says *Ford* pretended to be unwell, went up Stairs—but instead of taking that Repose for which a sick Man would go up Stairs, *Reynolds* heard him walk the Room—peeped through the Keyhole, and saw him standing and cutting Bills out of Sheets.—*Reynolds* appears to have mistrusted *Ford* by his peeping, and not boldly entering.—Can it be probable that *Ford*, who had so little Confidence in *Reynolds*, would tell him that he had robbed the Treasury, or say Words with a View to make him believe so, if they were true?

4. If *Ford* really said the Words, it seems to your Committee that *Ford* intended to make *Reynolds* believe a Thing, which, if discovered, he imagined himself capable of defending. It seems more probable to believe this than to think that this artful Man would have, without any Reason, told him a Matter of such Importance, and subject his Life to the Temptation of the Rewards, and to the Discretion of *Reynolds* as to keeping it a Secret.

5. Another Reason which induces your Committee to think it not Money stolen from the Treasury is—By *Reynolds*’s Confession, so relied on, it appears, that he had so little Occasion for Money in 1770 as to lend it—but about £. 18 out of £. 110 was new Money—a Man who had the command of Money in this Way might have £. 18 of Treasury Money, and have come honestly by it.

6. In *Haines*’s Answers to the Queries it appears *Ford* told him that it was Treasury Money, but this was spoken in a Joke, not with a View to be credited.

7. Besides it appears that *Ford* counterfeited the Three Pound Bills of *Pennsylvania*, and it is notorious that these Counterfeits are done in so masterly a Way that it is believed that Province hath sunk Hundreds of them as good Bills, and who can pretend to say that the same Ingenuity may not have been as successful in *Jersey*, and that Discovery still remaining to be made—If the Bill given to *Anderson* was carried to *Burlington*, approved and adjudged good, some Circumstances hereafter mentioned renders it highly probable.

8. In *Reynolds's* first Narrative he says, *Ford* some Time after he lent him the Money called on him, said *Reynolds* had used him ill by telling People he had Money of him, which occasioned many to call on him, and therefore *would have his Money*. Is this the Language of one Man to another, who could have had so much Money to betray him, and with whom he had trusted so Important a Secret? Surely *Ford* would not have dared to do it!—for though *Ford* might have in Return told of *Reynolds's* being concerned in counterfeiting, yet it appears the Discovery of the Robbery of the Treasury was ready to be acquired at the Expence of a Pardon for all other Villanies.

9. It doth not appear to your Committee that any Argument can be fairly drawn to prove *Ford* robbed the Treasury from the Words, “and, “from all that *passed* between this Examinant and said *Ford*, he verily “*believes and thinks* that the said Bills were Part of the Bills of Credit “of this Province of which the Treasury was robbed in the Year 1768.” For either *Reynolds* told all that passed, or he did not; if he told all that did pass, the Inference may as well be drawn by others as by him; if he did not, a Man must *believe*, because *Reynolds believed*!—Surely this is not the positive or circumstantial Evidence!

10. But let us examine the Words “I have got hold of one End of “the Treasury—Have not you heard that the Treasury was robbed?” Admit those Words to be true, and *Cooper's* Confession with Respect to his receiving the *Three Hundred Pounds* also, and it is clearly evident that *Cooper*, after he had borrowed the *Three Hundred Pounds* of *Ford*, might have asked the same Question, and made the same Observation, “I have got hold of one End of it,” *when he did not know of the Robbery until after it had been committed by others*.

11. But what proves fully that this Money which *Reynolds* says he saw in Sheets was not the Money stolen from the Treasury is, that the Money stolen therefrom was not in Sheets, as will be more particularly shewn hereafter.

From hence your Committee observe further, how dangerous it is for a Man, with the best Intentions, to rely on Words of no certain Signification. We may be allowed to wish our Friends well, but that Inclination should be suppressed so as not to appear in our Conduct, or to affect our Judgments. From these Words a Suspicion may arise, but to say they amount to *positive Proof*, or that *Reynolds* fixed the Robbery on *Ford*, your Committee apprehend, is saying too much.

Since the Beginning of this Session, by Occasion of a Message sent
by

by His Excellency, the House had the Examination of *Thomas Kenney*, Esq. taken before the Chief-Justice, which, for that Reason, it may be proper just to say a few Words on.

It appears from this Examination—That *Reynolds* was apprehensive that he was taken either for counterfeiting Money, or ravishing a Girl; from the first he endeavoured to clear himself, mentioning more than once that what he dealt in was good Money, was Treasury Money, and not counterfeit Money; the Terms *good Money* and *Treasury Money* he made Use of synonymously, as opposed to *Counterfeit Money*, and not to mean (as we apprehend) the Money of which the *Treasury* was robbed—That when the Sheriff received a Copy of his Sentence, “he went into the Gaol and “read it to the Prisoners, of which *Reynolds* was one, and told them “they had better *make a Confession*, or prepare for a Confession— “That *Reynolds* answered, the World expected a great Confession; “what he dealt in was good Money, it was Treasury Money— “That he had advised with the Clergymen who had attended him, “if it was not necessary for the Salvation of his Soul to make a “ny Confession, who did not imagine it to be so—that he [*Reynolds*] “would not distress Men, Women and Children by any Confession he should make—added I know I must die, I have forfeited my Life, and Government must have Satisfaction. Was I “ten Miles from this Place I should know as much as any Body or as any of them of the Robbery of the Treasury or of “Treasury Money, this Deponent don’t remember which, but as I “am here, I shall say Nothing, I shall make no Confession, I “shall disappoint the World—That when he stood on the Hogf- “head, and was tied to the Gallows, this Deponent asked *Reynolds* “three or four Times, if he had any Thing to say he must say “it soon, he had but a few Minutes to live—that *Reynolds* gave “no Answer—that he heard *Reynolds* advise the other Prisoners to “make no Confession. You had better have some *little Ejaculation* ascending to Heaven, that’s enough for you.”

Here it may be observed that the Sheriff says, When *Reynolds* stood on the Hoghead, and was asked by the Sheriff three or four Times if he had any Thing to say he must say it soon, for he had but a few Minutes to live, *Reynolds* made no Answer. His Excellency observes, that “he was asked just before he was turned “off, whether he had any Thing further to say, he declared that “he had not, for that he had before *confessed all he knew of Consequence to the Publick, and that what he had confessed was true,* “or Words to that Effect.”—From whom this Information came your Committee cannot say, but they should have thought the Sheriff must (in Case any Thing of this Kind just before he was turned off had passed) have been as likely to have heard them as any Body.

Your Committee strongly suspect that all the Prisoners, *Cooper* excepted, knew the Importance of saying Something about the Robbery of the Treasury—*Reynolds’s* Hint seems to your Committee to have been thrown out with a View of being examined on this Subject,

ject, but it seems that he alone was destined to make Satisfaction to Justice, so that his Hints were not accepted of, and what makes your Committee except *Cooper*, is, that he was so stupid as, on the Day of his Execution, to desire that the particular Questions, where Government thought him deficient, should be asked; which shews his Inclination to satisfy, as well as his Ignorance wherein he could do so.

Whether his (*Reynolds*) Confession first made was so made, "without any one present having the *least* Expectation that he meant "to say any Thing but what related to the Counterfeiting of Money," your Committee cannot say. But from the Persons present your Committee imagine the *least* Expectation might have been entertained of such Confession—For Col. *Ogden* had suspected him long before, his Suspicions were no Doubt communicated to his Father; the Treasurer had suspected him in 1771, as Mr. *Parker* in his Letter mentions; the Attorney-General could hardly have been ignorant of this; and the Examination is taken on the 17th of *August* before Judge *Ogden* and *Cortland Skinner*, Esq.

His Excellency also thinks his Confessions to have been made with a View "of revealing *all* he knew, thereby making all the *Atonement* in "his Power to Government."—*Reynolds* himself, a few Days before his Execution, thought his Life a sufficient Atonement; that a Confession was not necessary—and whoever is informed of the general Life he lived, may have as much Reason to believe he verified his Words "I shall disappoint the World," as to depend on his Confessions.

Notwithstanding His Excellency is pleased to declare, that on these Confessions he "might *safely* rest the Proofs of having *sufficient* Authority for mentioning that the Affair of the Robbery of the Treasury was brought to Light," your Committee cannot but think *more* to be necessary. To consider it shortly, and without the Comment made on it, it appears to be little more than what follows:

1. If the Narrative of the 17th *August* was before his Conviction, but the Story of a Man of bad Principles without an Oath.
2. Of a Man destitute of Credibility, who did not think any Confession to be necessary.
3. Of a Man who thought a little Ejaculation "ascending to Heaven" enough for him in such deplorable Circumstances.
4. And here let it be observed, that if the Treasurer may be supposed, three or four Days after the Robbery of the Treasury, to have been under such Agitation of Mind as to have been *mistaken*, in what Situation must this Man have been.
5. The unusual Mode taken to give the last Confession a Credibility---an Oath to a dying Convict---shews how much Government or others had it at Heart to give it an Air of Credit, and carries with it a Distrust which is not mended by the Attempt.

Your Committee, having now done with *Reynolds*, will proceed to *Cooper's* last Confession; but, before your Committee make any Observations thereon, permit them to say,

That unheard of, and as uncommon as the Mode *used* to give Credit
to

to *Reynolds's* Confessions is, they fall vastly short of the Labour and Pains used to obtain a Discovery of the Robbery from *Cooper*.

Every Body is obliged to give Satisfaction to Government in a reasonable Way ; the Modes of doing it are various, as well as the *Arguments* used to obtain it. This Observation might have been made with more Propriety after introducing the subsequent Affidavit, taken on a Message from the Governor to the Assembly for that Purpose.

It is the Affidavit of Colonel *Ogden*, and lest your Committee may hereafter be said to have misrepresented the Sense of it, they think it proper to introduce the Whole. It is possible your Committee may think wrong, but, if they do not, it will discover to the World, why, on what Arguments, and for what Reasons, *Cooper* confessed that *Sam. Ford* robbed the Treasury.

But before your Committee take Notice of the Affidavit of Colonel *Ogden*, permit them also to mention, That they do not look on themselves to be under a Necessity, nor do they intend to exculpate *Ford* from any Crimes, that he knew or may hereafter be accused of---They have as bad an Idea of the Man as they ought in Justice to have ; but as it is said the Affair of the Robbery of the Treasury, in which the Publick are concerned, hath been brought to Light, and this as a Fact positively proved, the Publick should not be led into an Error---Some striking Objections appear to arise both to the Credibility of the Fact, as well as to the Inferences drawn from those Facts, which your Committee thought proper to submit to the Consideration of the House.

“ *SAMUEL OGDEN*, Esq. of the County of *Morris*, in the
 “ Province of *New-Jersey*, maketh Oath and faith, some Time,
 “ he believes, within a few Months after the Robbery of the Eastern Treasury, that he had some Reason to suspect that *Samuel Ford*, *Benjamin Cooper* and *David Reynolds* were concerned therein—
 “ One of this Deponent's Reasons for suspecting them was as follows :
 “ He kept a Look out on all new Money that he received ; that one
 “ *Hylar* (as he believes to be his Name) came to this Deponent's Store
 “ and paid three or four *Twelve* or *Fifteen* Shilling Bills, all of
 “ one Date, which looked quite new, and which he said he received
 “ of *Benjamin Cooper*, but doth not remember the Date ; that he kept
 “ the Bills until he went to *Newark*, where he mentioned his Suspicions to his Father and his Brother *Isaac*, which last shewed him two,
 “ three, four, or five Bills that were also new ; that the Bills he so received of *Hylar*, and those shewn to him by his said Brother, had
 “ been doubled or folded up in a particular Manner ; that *Isaac Ogden* informed this Deponent that he had received them of *Bott* or *Hedden* ; that either *Bott* or his said Brother informed this Deponent
 “ that the said Bills were paid to *Bott* by *Samuel Haines* or *John King* of *Morris Town*, they having been lately together in *Newark*—the
 “ Bills he, this Deponent, received himself he shewed to *Mr. Skinner the Treasurer*, but does not (know) whether he kept or delivered the

“ said Bills to Mr. *Skinner*; that some Time after *David Reynolds*
 “ and one *Austin Reed* came to this Deponent’s Father’s House, when,
 “ suspecting them to be concerned with *Ford* in counterfeiting and
 “ in the Robbery of the Treasury, the Under-sheriff was sent to dog
 “ them (but this Deponent doth not know whether this was before or
 “ after he received the Bills aforesaid) with a View to make some
 “ Discovery; that from his Knowledge of the Circumstances of *Ford*
 “ before, and some Time after his Return to *Morris* from *New-York*,
 “ he was satisfied fully *Ford* was either guilty of counterfeiting or was
 “ concerned in the Robbery of the Treasury; that it seemed to be the
 “ general Opinion *Ford* made Use of some unfair Means to get the Es-
 “ tate he seemed to be possessed of, after his said Return to *Morris*, as
 “ he believes; that this Deponent received a Reprieve for *Cooper*,
 “ *Budd* and *Haines*, for one Month or four Weeks, signed by the Go-
 “ vernor, with certain Questions to put to all the Prisoners, which
 “ Questions were delivered to this Deponent in Council; that he was
 “ instructed to ask such other Questions as should occur to him; that
 “ he was desired to go through all the Questions on the Morning of
 “ the Day of his Execution with *Reynolds*, but was told he might
 “ take further Time with the others; that he was desired by the Go-
 “ vernor and Council, when the Respite was given to this Deponent
 “ for the Convicts, to tell *Cooper* that they did not think he had
 “ made an ample Confession; that the Governor had sent him a Re-
 “ spite to give him an Opportunity of so doing, on the Performance
 “ of which he would receive a Pardon, which this Deponent had pro-
 “ mised to endeavour to procure from Government, but that if he did
 “ not make a full Confession this Deponent’s Promise not being bind-
 “ ing, he would not be entitled to or receive the Pardon; that this De-
 “ ponent suspecting *Cooper* of other Villanies, particularly of the Rob-
 “ bery of the Treasury, asked the Governor if he might promise him
 “ a Pardon if he confessed other Villanies than those of which he
 “ was indicted, but doth not recollect whether in particular he men-
 “ tioned to the Governor that of the Robbery of the Treasury, but thinks
 “ he did, otherwise *Cooper* might be afraid of being punished for other
 “ Villanies; that on the Day of Execution, in order to give the Con-
 “ fession greater Solemnity, this Deponent sent for the Rev. Mr.
 “ M^r *Quarter* and Mr. *Jones*, two Clergymen, and Dr. *Tutbill*, and as
 “ this Deponent believes, Col. *Ford*, sen. who all together with this
 “ Deponent were at the Gaol, when *Reynolds* was first took out of the
 “ Gaol into the Court Room, and told by this Deponent or his Bro-
 “ ther *Abraham* who was present, he was very sorry to tell him (*Rey-
 “ nolds*) that he must die, and that the only Service he could do to
 “ obtain Pardon of God and his Country, was to make an ample Con-
 “ fession, or Words to that Effect, which *Reynolds* said he would do,
 “ and then made the Confession in Writing, and answered to the Que-
 “ ries signed by the Deponent and delivered by him to the Governor;
 “ *Reynolds* at the same Time declared his first Confession to be true;
 “ after which *Reynolds* was carried back to Gaol, and *Benjamin Cooper*
 “ brought out into the Court Room, whereupon this Deponent asked
 “ *Cooper*

“ *Cooper* if he remembered the Promises made to him by this Deponent
 “ before his (the said *Cooper*’s) first Confession, which was, that if he
 “ made a *full* Confession, this Deponent would endeavour to procure
 “ a Pardon, but if he (*Cooper*) did not make an *ample and full* Con-
 “ fession, he would be hanged, which *Cooper* said he did. This De-
 “ ponent then told *Cooper* he was sorry to inform him that Government
 “ joined this Deponent in Opinion that he (*Cooper*) had not made a
 “ *full* Confession, and that as he had failed on his Part, and had not
 “ complied with his Promise, he, this Deponent, did not look on him-
 “ self bound ; on which *Cooper* asked this Deponent to ask him (*Cooper*)
 “ the *particular Questions* where he thought him deficient, which this
 “ Deponent denied, said he would not ask him any particular Ques-
 “ tions---If he knew more he could tell it---when *Cooper* protested his
 “ Innocence *over and over again*, but in such a Way that this
 “ Deponent *disbelieved*. Finding this did not bring *Cooper* to a Con-
 “ fession, he told *Cooper* he had a Respite from the Governor, shewed
 “ him the Respite, but did not then read it to him, and told him as
 “ Government did not believe he had made an ample Confession,
 “ they had given him an Opportunity of doing so. If it should ap-
 “ pear that he made a *full* Confession, or if they approved his Con-
 “ fession to be *full*, he would receive a Pardon, or otherwise hang-
 “ ed on the Day when it expired. That this Deponent meant and
 “ he used Expressions and intended to convey this Idea to *Cooper*,
 “ That if he then did not make a *full* Confession, he would be hang-
 “ ed immediately, that is, on the Day when *Reynolds* was executed and
 “ on the Day on which this Deponent was speaking to him and gave
 “ *Cooper* to understand that he, this Deponent, was *certain that he*
 “ (*Cooper*) *had not made a full Confession*, cautioned him a great
 “ many Times against charging any innocent Person, and mentioned
 “ the Probability of *Ford*’s being taken, and the fatal Consequences to
 “ *Cooper* on charging any innocent Person. And this Deponent declar-
 “ ed, before the Gentlemen present, that so far from using any Mea-
 “ sures to save him, he, this Deponent, would use all his Influence
 “ with Government to have him hanged, in case he said too much
 “ or charged any innocent Person ; that *Cooper still persisted in his Inno-*
 “ *cence, and continued that unaccountable Behaviour*. This Deponent
 “ then mentioned the Promise of Government on such Confession to par-
 “ don him for any *other Villanies* he had committed ; told him he
 “ need not be afraid, or be under any Constraint, for the Confession he
 “ should then make would not have any Operation against him---re-
 “ peated to him that this Deponent was sorry for him, that he must
 “ blame himself, and not this Deponent for his Situation, as he had not
 “ made a *full* Confession : said every Thing he could to *frighten Coo-*
 “ *per* to a *full* Confession which this Deponent thought he had not made.
 “ This Deponent, before the Execution of *Reynolds*, ordered the She-
 “ riff to take off *Cooper*’s Irons and to pinion him, in order to fix
 “ him in a Belief of his being to be then hanged after *Reynolds* was
 “ executed. Thinking *Cooper* had not been full in his Confession, and
 “ conceiving, from his Behaviour, he did not expect to be executed,
 “ this

“ this Deponent told the Sheriff with his Officers to take the Rope in
 “ his Hands, go in to *Cooper*, tell him he was sorry to do his Duty,
 “ that the Time was near expiring, and as he might want some little
 “ Time under or at the Gallows, he must take him out. This De-
 “ ponent also directed the Sheriff to coil the Rope, and move it, and
 “ then come out, and tell this Deponent the Effect. And also told the
 “ Sheriff to take great Care not to touch *Cooper* with the Rope. In a
 “ little Time the Sheriff returned, and told this Deponent *Cooper* was
 “ frightened, knew *more*, and would *confess* it. On which this De-
 “ ponent went into the Gaol to *Cooper*, told him he was as great a
 “ Rascal as ever lived; that this Deponent was afraid what he, *Coop-*
 “ *er*, was going to say was not *true*, and that he was only going to
 “ say it to save his Life, and charged him not to accuse any innocent
 “ Person, nor to say anything too much or untrue, if he did he
 “ should certainly be hanged---not to give this Deponent any *round a-*
 “ *bout Story*, to be as concise as possible; he must say in a few Words
 “ what he had to say or knew, for that Time would not admit of Tri-
 “ fling. He answered, What he was going to say was true; it would
 “ prove itself so, and other Words to that Purpose, and said *Sam.*
 “ *Ford* hath robbed the Treasury, went from *New-York* with Soldiers
 “ to effect it, and shewed him a Peck of Money; that *Cooper* said this
 “ in a confused Manner, but that he gave the Substance of his last
 “ Confession, on which this Deponent again cautioned him as above.
 “ *After this thought his Confession true*, but assured *Cooper*, if it turn-
 “ ed out otherwise he should be hanged, or that this Deponent would
 “ use his Influence to do it. This Deponent then had him taken
 “ (*Cooper*) out into the Room, wrote down about a Side of a Sheet of
 “ Paper, containing the Substance of his said Confession, and finding
 “ him exceedingly confused, told him he would call again in the Af-
 “ ternoon, which he did, and *Cooper* gave the same Relation, and per-
 “ sisted in the Truth, but still appeared confused, said he had many
 “ Things to relate, if this Deponent would give him Time to compose
 “ himself, he would endeavour to recollect himself, which this Depo-
 “ nent thinking to be best, ordered him Pen, Ink and Paper, and said
 “ he would call on *Sunday* Morning; that on *Sunday* this Deponent
 “ repeated the *Cautions* afore said; that *Cooper* gave him Part of his last
 “ Confession wrote by *Cooper*, corresponding with the half Sheet afore-
 “ said; that on *Friday* the 24th *September*, as he believes, this De-
 “ ponent went to *Cooper*, read over his Confession to him, and swore
 “ him to the Truth, and the Answers given to the *Queries* proposed
 “ by the Governor and Council, as this Deponent believes, without
 “ any Orders to his Remembrance for so administering the Oath. This
 “ Deponent asked *Cooper*, Why he held out so long, and kept back his
 “ Confession of his Knowledge of the Robbery of the Treasury? To
 “ which he answered his Reasons were, He had so many Crimes al-
 “ ready against him that he expected, if he discovered it, he should
 “ have less Chance of Mercy; he believed this Deponent or the Court
 “ would not give him up, and he had Interest enough to save him.
 “ This Deponent further saith, That on the *Friday* Evening or *Saturday*
 “ Morning

“ Morning of the first Week of the Court (after having gone through
 “ most of the Examinations and no positive Evidence even against *Ford*)
 “ this Deponent went to *Cooper*, told him he was sure he was guilty---
 “ unless he confessed, some other would, and he would fall a Sacrifice ;
 “ that *Cooper* came the next Morning, and after getting this Deponent’s
 “ Promise to use his Influence to procure a Pardon, made a Confes-
 “ sion as to the counterfeiting Money. The Judges of the Court were
 “ Judge *Ogden*, Col. *Ford*, Dr. *Tuthill*, *Daniel Cooper*, Col. *Ford*, jun.
 “ and this Deponent, who sat during the Court ; that *Stephen Skinner*
 “ was also there, being sent for, as this Deponent was informed, to in-
 “ spect counterfeit Bills, but did not, to his Knowledge, transact any
 “ of the Business of the Court or attend the Examinations of any of
 “ the Witnesses. This Deponent remembers the said *Stephen Skin-*
 “ *ner* to have been once or twice on the Bench. And this Deponent
 “ further saith, that he doth not pretend in the foregoing Affida-
 “ vit to have mentioned the very Words which were expressed, but
 “ that the Whole in Substance only—And further saith not.”

On which your Committee beg Leave to remark, That admitting
Reynolds’s first Confession to be quite voluntary, “ without any one
 “ present having the *least* Expectation that he meant to say any Thing”
 about the Robbery of the Treasury, yet Government must have had
some Expectations from *Cooper*, for Col. *Ogden* was directed, “ by the
 “ Governor and Council, to tell *Cooper* that that they did not think
 “ he had made *an ample* Confession ; that the Governor had sent a Re-
 “ spite to give him an *Opportunity of so doing*,” and, in order to in-
 duce *Cooper* to answer those Expectations, Mr. *Ogden*, “ suspecting
 “ *Cooper* of *other* Villanies, particularly of the Robbery of the Trea-
 sury, asked the Governor if he might promise *Cooper* a Pardon, if he
 “ confessed *other* Villanies than *those* of which he was indicted, but
 “ doth not recollect whether in particular he mentioned to the Go-
 vernor that of the *Robbery of the Treasury*, but thinks he did, other-
 “ wise *Cooper* might be afraid to confess *other* Villanies,” which was
 granted. The unhappy Man, thus circumstanced, was brought out
 of Gaol, told “ that as Government did not think he had made an am-
 “ ple Confession, they had given him an *Opportunity of so doing*.”—
 If it should appear that he made a full Confession, or if *they approved*
 his Confession to be *full*, he would receive a Pardon, or otherwise
 hanged on the Day when it expired.—“ That this Deponent meant
 “ and used Expressions and intended to convey this Idea to *Cooper*, that
 “ if he did not make a full Confession he must be hanged immediately,
 “ that is, on the Day on which this Deponent was speaking to him.”
 It appears *Cooper* shewed an Inclination to give this Satisfaction to Go-
 vernment, and went so far as to request “ the Particulars, where he
 “ thought him deficient,” might be asked of him—this was refused—
 It was also true that he was cautioned “ a great many Times against
 “ charging any innocent Person, and mentioned the *Probability of*
 “ *FORD’s being taken*”—It also appears that on this Day, appointed for
 his Execution, “ he protested his Innocence over and over again, but in

“such a Way as this Deponent disbelieved.” It appears, after many Arguments, “that *Cooper* still persisted in his Innocence, and continued this “unaccountable Behaviour.”—Finding this did not bring *Cooper* to a Confession, his Irons were taken off, and, tho’ according to *Kenny’s* Account, he was so frightened as to tumble down and remain until *Reynolds’s* Irons were first taken off, *Cooper* made no Confession, and of Consequence the *Expectations of Government remained unanswered*.—*Reynolds* was executed and one more Argument adduced, which had the desired Effect. The *Rope* was brought in, coil’d, and shewed to him—this he could not withstand, and cried out *Sam. Ford* robbed the Treasury. “After this his Confession was thought *true* ;” and it doth not appear that after the 24th of *September*, the Time given him to draw up a Confession, which would convince the World of the Truth of it, any Application was made to him to confess further—Government appears to have been satisfied, and your Committee suppose *approved* of his Confession as *full*!

This Confession of *Cooper* is said to have been “voluntarily made, “taken and sworn.” And to shew how *voluntarily* and with what *solemnity* it was made, your Committee have been rather particular, tho’ not so much so, as the Narrative would admit of.

Your Committee think proper also to mention, that *Cooper* was so confused on the Day of this Transaction, that it was thought not proper to take his Confession. Under this Confusion, it is possible, he may have made *some Mistakes*. A Charge was given “Not to say any “Thing *too much or untrue*—if he did he should certainly be hanged.” And from henceforward it appears, though he confessed with some Reluctance, yet he hath adhered to his Confession with *great Uniformity*.

Before entering into *Cooper’s* Confession, it may also be proper to observe, that *Cooper*, being under some Imputations, went before Lord *Stirling* on the 3d of *February* 1770, and swore “that, to the best of his Knowledge and Recollection, he never received, paid away, or was possessed of any Bill of Paper Currency of this or any of the neighbouring Provinces that was counterfeit or suspected of being counterfeit, except one he received of one *Parliament’s* Son.”

It also appears by this Affidavit that *Cooper* had declared “this in Substance” to Justice *Gold* “on Oath,” and afterwards declared the same on Oath to the Grand-Jury at *Morris-Town* some Time last Summer.

In *Cooper’s* last solemn Confession he swears that he, “in the Beginning of the Winter, or the last of Autumn of 1768 or the Beginning of 1769, was concerned with and had received from him “(*Ford*) some small Sum of counterfeit Bills of this Province of *Six Shillings* and *Three Shillings* each.”

It would be spending Time quite unnecessarily to shew the palpable and plain Untruths in *Cooper’s* Affidavits. Let it suffice to say, he hath sworn as many different Ways as he thought it his Interest to do. Under these Disadvantages His Excellency is pleased to declare “There “is no Person, I believe, who has formed a *worse* Idea of his Character than I have, and I should think it extremely wrong to let “his *Testimony* have any Weight in Points where it was *repugnant* to “any *creditable Evidence*.” It

It seems to your Committee, that this Man's Oaths, tho' obtained with all the Solemnities heretofore mentioned, under the Disadvantages of their being somewhat contradictory, ought to be well considered before they are admitted to have *any* Weight, even where they do not contradict other Evidence.

In the Case of *Titus Oates*, who was accused of Perjury—the Chief-Justice was so incensed as to tell him in open Court “It were a pity” but that his Testimony was to be sealed with his Blood.”—To prove *Titus Oates* guilty, the Attorney-General called one *Smith*; and said he called him to swear that what he had formerly sworn was false, and that he was persuaded to do so.—The Chief-Justice, tho' not inclined to favour him, was not of the Opinion that “his Testimony” should “have any Weight” even where it was not repugnant to any “credible Evidence” and though Precedents were brought to support it, he delivered these noble Sentiments uncontradicted to this Day.

“I hate such Precedents at all Times; let it be done never so often. Shall I believe a Villain one Word he says, when he owns that he forswore himself.” *He* thought it wrong to *hear* him, much less to hear him and after weigh his Credibility against Others.

Your Committee apprehend it to be unnecessary to go into many Observations on *Benjamin Cooper's* Confessions; they think any Thing he hath sworn liable to Objections, and not to be so well connected as to convince “any Body” of the Truth of it; for it is hardly probable,

1. If *Ford* was so apprehensive of passing the Treasury Money (as from the Tenor of *Cooper's* Confession he pretends *Ford* was) he never would have risked the *Eighteen Pounds* to *Reynolds* in 1770, and not trust his “Bosom Friend” *Cooper*.

2. *Cooper* also pretends “If I (*Cooper*) had not given him (*Ford*) this Security, he would (have) sued me for a large Debt due to him, and sold the Share of the Works I bought of him for a Trifle, “whereby it would have ruined me.”—Is it possible that *Cooper* should have been under these Apprehensions? or probable that *Ford* would have rendered *desperate* a Man of his *Morals*, and which he must have had an Opportunity of knowing.

3. *Cooper* says, “That he (*Ford*) was preparing to set off for *England*, incumbered with this Business (that is, a Suit brought by *Levy*) “and dared not pay it.” But what was the Reason? Not for Fear of his being detected of the Robbery of the Treasury, but because “it “would give Suspicion of his being at the *counterfeit Business*.”—This cannot be the Part of his Confession, so well connected as to prove itself.

4. *Cooper*, in his Answer to the Queries, put by Order of the Governor and Council, Question *four*—says, “he does not believe *Ford* “made any other Bills (but *Six Shilling* and *Three Shilling* Bills) before “he went to *England*.”—This your Committee suppose to have been inserted, and indeed it seems supposed by His Excellency, that *Ford* never made Bills of a higher Denomination before that Time—*Cooper* says, in his Answer to the fifth Query, That he saw *Ford* sign *Fifteen Shilling* and *Twelve Shilling* Bills in the Spring of the Year 1771.

This

This is supposed to be Treasury Money ; but, to silence this Supposition forever, and all the Arguments drawn from it, which are not few, let it be noted, that the Eastern Treasurer in his Deposition, sworn before Chief-Justice *Smyth*, says, “ that the Bills stolen are of different Denominations from *Six Pounds* and under, but most of *Fifteen Shillings* and upwards, signed by *Richard Smith, Johnson* and this Depo-
“ nent.”

Your Committee hope that this Observation, at least with such who suppose *Cooper's* Confessions true, will put a Stop to the Supposition *Ford* counterfeited only *Six* and *Three Shilling* Bills of *New-Jersey*, before he went to *England*.

Sensible of some Objections to the Credibility of *Cooper's* Testimony, His Excellency in the next Place states some of them, and seems to assign as the Cause why *Cooper* did not make the Confession of the Robbery of the Treasury sooner to be, because that, “ had he any Knowledge or Concern ” therein, and should have confessed it, he was afraid, “ lest he should then stand but little Chance
“ of obtaining a Pardon ; ”---and is pleased to add, “ that for this Fear
“ he had indeed no small Reason, as it appeared by his own Con-
“ fession, that he had not only been privy to the Transaction soon
“ after, but had actually received a Share of the Money for his own
“ Use.”

From hence it appears that *Cooper* was rather more distrustful of Government than he need to have been. He had confided in Col. *Ogden's* Promises, and had made a Confession of a Crime for which he was condemned to die: Col. *Ogden* had, by Order of Government, told him he need not “ be under any Constraint, for the Confession he should
“ then make, would not have any Operation against him.”---But when it is considered that the Share he had in the Treasury was but small---that he had paid what was between him and *Ford*, a Consideration equal to the Value---that he only kept the Secret of a Man who had his own Life in his Power---that at the Court at which he was condemned *Cooper* was not only indicted of the Crime for which he was condemned, but also for counterfeiting or passing bad Ducats, and for aiding and assisting *Ford* to escape, his Guilt could not receive much Aggravation---It could not be the Reason of his not confessing the Robbery.

His Excellency next adds, “ I scarcely know which to admire most,
“ the *Folly* or *Wickedness* of those who first suggested or propa-
“ gated the other Idea, namely, that *Cooper* was either persuaded or
“ compelled to this Confession by Promises of a Pardon or by *Threats* of
“ *losing his Life* ”---thinks this Report “ a Reflection on some of the
“ Officers of Government, and on none more than myself ”---adds, “ as
“ it has met with many Advocates and Promoters even amongst
“ those who ought to know and act better---I cannot avoid paying
“ more Attention to it, than I should otherwise thought it deserved ! ”

Your Committee will not undertake to say whether this Report will meet with fewer Promoters, amongst those who ought to know better, but one good End will be answered by inserting the foregoing Affidavit---that all may know and act better when they come to be in-
formed

formed in *what Manner the last Confession* of Cooper was obtained---if the Mode in which it was acquired will give just Reasons so to do.

His Excellency after this proceeds to mention "that it must have been with great Reluctance that he (*Cooper*) accused one who had for many Years been his *Bosom Friend*, and from whom he had received particular Obligations."

Here your Committee apprehend there to be some little Inconsistency---for *Cooper* himself declares he kept back the Confession of his Knowledge of the Robbery for another Reason, which hath been already mentioned, because, if he had made it, he should have had less Chance for Mercy---and indeed if it is considered that before this, he had said enough about his *Bosom Friend*, if true, to hang him; if he was possessed of any Reluctance, it must have arisen from an Apprehension of injuring the Reputation of his said Friend, with as much Probability as the other Supposition.---With Respect to the Person of his *Bosom Friend* he had told enough if true to effectually have disposed of that.

The Governor also apprehends *Cooper* never would have been so stupid as to have accused *Ford*, who had so considerable Relations and Connections, and, for aught he knew, might have been brought back in a few Days to confront him, when he might have fixed it on some Person "who would have *equally* answered his Purpose; one who was either dead or removed out of the Province, to some Place he knew not where."

Here your Committee would observe, that, by Col. *Ogden's* Testimony, *Cooper* seems to have been much frightened, by *Kenny's* Account, so much as to fall on the Floor and remain until *Reynolds's* Irons were taken off; so that it may be owing to this Confusion he did not pitch on another out of the Power of Government, and who might not be subject to a Chance of being taken. But on a sudden, your Committee cannot think of a Man of whom this Story would have been more credible (*Cooper* excepted) and if *Cooper* had confessed it of himself, perhaps the Treasurer might have thought himself justifiable in requiring some small Compensation from him, when pardoned; but what Risk *Cooper* would have run, from a Prosecution for Perjury in such Case, your Committee have not Sagacity enough to determine. When once he had mentioned *Ford*, he could not well have deviated from it; for, in such Case, "the Governor and Council were determined that if his Story should not prove consistent, or if it should be found he had in any Ways attempted to *impose* upon them, that no Mercy should be shewn him on any Account, but, on the contrary, he might expect the utmost Vengeance of Government would pursue him."

Your Committee would not be understood to cast any Reflections on the Gentlemen who took the last Confession of *Cooper*; they believe those Gentlemen have exerted themselves, and have really done their Country Service, in the Detection of the Villains who counterfeited the Bills of the Colony; but they cannot but think that the Zeal of some of them, carried them full as far as the Laws of the Land direct, to obtain of *Cooper* the Confession that *Sam. Ford* robbed the Treasury.

The Governor is also pleased next to “examine whether there are “not some Particulars mentioned in his (*Cooper's*) Testimony, which “are confirmed by the Testimony of Others, and corroborated by many striking Circumstances?—and says, he *entirely* agrees with *Reynolds* in fixing the Robbery on *Ford*.”

“Fixing the Robbery on *Ford*” seems rather to be too strong Expressions—*Reynolds* does not fix it on *Ford*—What he says is, that *Ford* told him he had got hold of one End of it, which *Cooper* may say now, with equal Truth, if his Confession be true, that he had *Three Hundred Pounds* of the Money.

Besides, if it be also considered, that *Cooper* and *Reynolds* were, for Weeks after their Condemnation, confined together in one Room, as *Reynolds's* Confession in publick was probably told him, it may account for *Cooper's* fixing it on *Ford*.

Nor do your Committee think that what *Cooper* says of the *two* Soldiers quadrates with *Phæbe Webb's* Oath, a few Days' after the Robbery, in such a Way as to make it a striking Circumstance; but as *Richard Sharplefs's* Testimony is joined with *Phæbe Webb's*, your Committee will consider them together—to know how far they seem to agree.

1. *Phæbe Webb* first saw, two or three come down the Hill. She imagined them to be Soldiers, though the Night was dark and cloudy, so that she could not distinguish whether they were “Soldiers, Negroes or what they were.” Here then at least were four—probably five.—*Cooper's* Account makes only three, if these are supposed the Robbers.

2. *Sharplefs* only saw three, but one of these had a Horse. *Ford* and his two Soldiers, by *Cooper's* Account, came in a Boat from the *Blazing-Star*, and they could not have brought the Horse with them.

3. One Thing from the Whole of the Testimony appears—your Committee mean *Webb*, *Sharplefs* and Miss *Parker*.—The first says, there was a great Talking “round the Corner next to Mr. *Skinner's* :” The second says his Son waked him up, and he saw three Men at the Well: Miss *Parker* “put her Head out of the Window, when she heard a “Noise that she took to be the laying down of Oars in a Boat”—The first heard “an uncommon Barking and Howling of Dogs, both above “and below the Hill :” This Barking Miss *Parker* also heard: If to this is added the Testimony of *Mary Collins*, who deposed “the Dogs barked *very fierce*”—*Elizabeth Inglis*, that the Rowing of a Boat which she heard and judged to be rowing up the River, was very smart—it must be acknowledged that the Villains who committed this Robbery, perpetrated the Fact contrary to the common Mode, or otherwise that these were not the People; for Robbers generally come and go also with as little Noise as they can possibly make.

4. The Supposition of the Horse to carry away the Money to *Bonham-Town*, is more ingenious than *justly* founded. The Words “from “*whence* it was deposited,” does not prove that it was deposited at *Bonham-Town*. But to put a Stop to this ingenious Supposition, let it be remembered, that *Cooper's* Confession, which the Governor is
here

here corroborating, by these striking Circumstances, alluded to in his Speech, says, "they went off in said Boat to a Wood on *Staten-Island*, "or on *South-Amboy*, where they deposited the Money for a Time, and "the next Day returned into *Amboy*, in order to hear the common Reports, where they stayed for a few Days."—There's another Thing strange in the latter Part of the last Section—If *Ford* told *Cooper* of the Robbery of the Treasury, and that he (*Ford*) was concerned in it, no tolerable Reason can be given for his concealing from him the Circumstances. It appears to your Committee (this Confession of *Cooper's*) not to be so "well connected as to prove itself." On the contrary, it is highly improbable, that *Ford* and two Soldiers, who had no real Business at *Amboy*, should come to a Place, where they had committed a Crime so flagrant, the next Day, to hear the common Reports.

Your Committee therefore, so far from seeing "some Particulars" mentioned in the Testimony of *Cooper*, "which are confirmed by the "Testimony of others, and corroborated by many striking Circumstances," don't apprehend that in the Testimony of *Webb* or *Sharplefs*, there are really any striking Circumstances, and think that *Reynolds* does not join "with *Cooper* in fixing the Robbery on *Ford*."

His Excellency next introduces some Letters which passed between the Honourable Mr. *Parker*, Mr. *Skinner* and Himself, to shew *Ford* or *Reynolds*, or both, had some Connections with Soldiers, and that they even at that Time, *June 1771*, or thereabouts, suspected *Ford* and *Reynolds* to have been concerned in the Robbery of the Treasury, which your Committee do not apprehend to be so material as to require any further Notice to be taken of them than only to mention,

They with the Hint of apprehending *Ford* and *Reynolds* had been made use of and put in Execution: If *Reynolds* had been concerned, it is very probable the Inducements offered to the Soldiers would have brought out the Truth.

In the next Place Miss *Parker's* and *Elizabeth Inglis's* Testimony are mentioned, on which your Committee do not think any further Remarks to be necessary, than only to observe, that Miss *Parker's* Testimony, in their Opinion, don't pretty fully corroborate *Cooper's* Account of "*Ford's* having gone by Water to *Amboy* to commit the Robbery"—for though she heard a Noise, "that she took to be the laying down of "Oars in a Boat," your Committee conceive that before it can pretty fully corroborate *Cooper's* Account, it ought to appear, that *Ford* was either in that Boat, or that the Boat came from the *Blazing-Star*; besides, the Noise of laying down Oars in a Boat is so like many other Noises, that no body can rely on it with a tolerable Degree of Certainty.

Your Committee cannot see how *Ford's* going to *Bonham-Town* can be called a Circumstance corroborating *Cooper's* Confession, or that his going there under Pretence of selling some Iron Castings, "was as "good a Pretence as *Ford* could make." And the Affidavit of *Jeremiah Manning*, so far from proving that in 1768 he went under Pretence of selling some Castings, proves that he really had Occasion to go there, not to sell Iron Castings, but to receive Money for some he had left to be sold

fold a Year before. When Circumstances of this Kind are relied on to corroborate any Thing, they should at least be well founded.

It must be admitted that *Cooper* does say *Ford* told him "he had changed some old Money with the Treasurer, in order to view the House or Situation." But your Committee cannot conceive it *very probable* that at this Time he changed the Money at Mr. *Skinner's* "in order to view the House," or that it is "pretty certain he had no Kind of Business or Dealings with any Person at *Amboy* that could call him there." For, in the first Place, whether he ever viewed it, as *Cooper* mentions, depends on *Cooper's* Veracity, on which no Body can *pretty certainly depend*.—In the next Place, as all the publick Records of the Eastern Division are kept there, we think that *Ford*, with equal Probability, may be supposed to have gone there to look either at a Deed, or Will, or Survey---Nor is it possible that His Excellency could know his Business and Dealings so as to be pretty certain he had not sent some Iron Castings the Year before to *Amboy*, as it appears he had to *Manning*. These therefore seem rather to be the Suggestions of one inclined to support an Opinion already adopted, than sufficient to form one upon.

His Excellency, in the next Place, mentions *Cooper*, *Reynolds*, *Budd* and *Haines*, join in the Story of having seen *Ford* have Money in Sheets--in Sheets of either two or four Bills each—There seems some Inaccuracy in the Expression—a Sheet of two or four Bills—It first begun in *Reynolds's* Examination, and here your Committee would beg Leave to examine the Question, whether the Money said to have been stolen out of the Treasury was really in Sheets or not?

The Governor's Sentiments on this Subject are, that, "From the *general Tenor* of that Part of the Eastern Treasurer's Oath which mentions the several Kinds of Money in the Iron Chest, one would be naturally led to think that *all* the Money deposited *there* was cut from the Sheets into *single* Bills; and it is probable he might think so at the Time, when his Mind of course must have been greatly agitated. However I am, notwithstanding, clearly of Opinion, that in this, if he did think so, he must have been mistaken; and indeed there are no Words in *his* Deposition which mention that the Bills which were cut from the Sheets were cut into *single* Bills; they might have been cut into two or four Bills for *ought* that appears to the *contrary*. If they were cut into two or four Bills, or both, they will answer the Description of them given by *Reynolds*, *Budd* and *Cooper*. It may perhaps be remarked that Mr. *Skinner's* Clerk, *William Campbell*, has declared that the Method of counting the Money was to put twenty Bills of a *Sort* into a Bundle. This may possibly have been the general Method of counting the Money that was cut, but it no Ways proves that all the Money that was counted was cut; on the contrary he himself says that all the Money that was cut was bundled up; and that he believes the Money (*i. e.* the *Eleven Thousand Pounds* which he expressly says was in the Chest at the Time of counting) was all counted but not all cut at *that Time*. This evidently proves that some uncut Money was kept in the *Iron Chest*, and I think it not improbable likewise, that some of that which was cut

" might

“ might have two Bills of a Sort left, as I have many Times seen a
 “ Sheet of printed Bills, which has contained two or more Bills of the
 “ same Denomination, and so printed as to be in a Line with each other.”

It is really for the wisest Reasons, that the Law hath surrounded the Liberty and Property of the Subject with certain Rules, which secure both from Weakness and Prepossession. Without these Rules a Field is opened for Opinions, *against which no Man, though ever so innocent, can possibly defend himself*; whereas, by obliging a Man to form Opinions on established Principles, and to curb his Imagination, we are secured from those dangerous Consequences.

Your Committee should think it a very poor Compliment to pay to the Treasurer, for them to suppose that he would enter into the solemn Obligation of an Oath without great Care. Every Inducement which could be thought on, must have presented itself to his View on that Occasion. The Importance of a Mistake in an Oath, held up to the whole Province, in which he gave an Account of the Loss of upwards of *Six Thousand Pounds* of the publick Money, must have been obvious.—He must have been conscious to what Censures so material a Mistake in the Description of the Money, must have rendered him liable. And indeed his Knowledge of the Money seems to have been the principal Foundation on which he founded his Expectations of a Discovery. Hence, if he found his Mind under great Agitation, three or four Days afterwards, your Committee cannot suppose he would have taken an Oath; we have a better Opinion of his Understanding than to think that he would have attempted it, until he found himself possessed of that Coolness and Attention requisite to take an Obligation of so much Importance to himself—Your Committee therefore cannot suppose him to have been mistaken in his Oath, in case he did think that the Money was cut from the Sheets into single Bills; and that he did think so, is evident “from the general Tenor of his Oath,” which will naturally lead every one to be of that Opinion.

In the Affidavit of the Treasurer it appears,

“ That the Money in the Chest amounted to about £. 7814: 9, all
 “ in Paper Money, except about 700 Dollars in two Bags—that the said
 “ Paper Money was the Remainder of a larger Sum this Deponent had
 “ bundled up some Time in *February*, &c.—that the Bills stolen are of
 “ different Denominations from £. 6 and under, but most of 15*s*. and
 “ upwards, signed by *Richard Smith*, *Johnston*, and this Deponent, and
 “ are, as this Deponent believes, the Emissions of 1763 and 1764, ex-
 “ cept about £. 500 or 600, which had been current, and a little worn
 “ and bundled up in said Chest. This Deponent saith that the Money
 “ stolen was bundled up, 20 Bills in a Bundle, and tied and pinned
 “ round with a Piece of Paper.—And this Deponent further saith that
 “ he keeps the Bills in Sheets, as delivered to him by the Signers; that
 “ from these Sheets he, this Deponent, usually cut the Bills from Time
 “ to Time, and, for greater Security, hath always put the Money bun-
 “ dled up in the said Iron Chest; that the said Money, as aforesaid
 “ stolen, was, by this Deponent, so put in the Iron Chest.”

William Campbell swears “ he thinks there was at that Time in the
 “ Chest

“ Chest upwards of £. 11,000 ; that the Method of counting the Bills
 “ was to put twenty Bills of a Sort in a Bundle ; that all the Money
 “ that was cut was bundled up ; and that he believes the said Money
 “ was all counted, but not all cut at that Time.”—

Whoever will look into both those Affidavits, will find that the Treasurer speaks of one Time, *to wit*, the Time of the Robbery—his Clerk of another, the Time when the Money was counted ; and tho’ the last says “ that he believes the said Money was all counted” (which he *thinks*, not expressly *says*, was in the Chest at the Time of counting in *February*) “ but not all cut at that Time ;” yet it leaves no Room to suggest that at the Time of the Robbery, there was any *Jersey* Currency in the Iron Chest, but what was cut out of the Sheets into single Bills.

His Excellency is pleased to admit “ that from the general Tenor of
 “ that Part of the Eastern Treasurer’s Oath, which mentions the several Kinds of Money in the Iron Chest, one would be naturally led
 “ to think that *all* the Paper Money deposited there was cut from the
 “ Sheets into *single* Bills ;” if so, with what Kind of Propriety can that Construction, which one would be naturally led to make, be departed from, for another founded on a worse Principle ?

He, in the next Place, is pleased to say, “ I am notwithstanding *clearly*
 “ *ly* of Opinion, that if he did think so,” (that is, did think as one would be naturally led to think, from the whole Tenor of his Oath) “ that in
 “ this he must have been mistaken.” What the Reasons are for so *clearly* supposing the Treasurer mistaken, your Committee are at a Loss to determine, unless it be to prove that the Money which is mentioned by *Reynolds* and others in Sheets, was not only Treasury Money, but that Part of it, which was stolen from the Treasury in *July* 1768 : Unfortunately no particular Reasons to evince this clearly, are here given ; and the general Tenor of the Treasurer’s Oath naturally leads to the contrary Opinion.

From the Treasurer’s Oath and *Campbell*’s also, when considered together, it appears, that the Paper Money stolen, was the Remainder of a large Sum bundled up in *February*---that the Money stolen was bundled up twenty Bills in a Bundle, and those Bundles were Bills of a Sort---that the Treasurer usually cuts the Bills from the Sheets---that he bundles them when so cut 20 Bills in a Bundle—and that he puts the Money so bundled in the Chest—and that this was *so put in*---It also appears, that all the Money that was cut was bundled up, from whence your Committee infer, that the Money which was stolen was bundled up, and not Money in Sheets.

Your Committee also think it may be fairly inferred, from the Treasurer’s Oath, that he kept no Money in *Sheets* in the *Iron* Chest---He says, that he keeps the publick Money *in Sheets*, as delivered to him by the Signers ; that from these *Sheets*, he usually cut the Bills---when cut, bundled them---when bundled, “ for greater Security,” put them in the Iron Chest---and that the Money stolen was so put in.

The Treasurer, in his Oath, does not say that he bundles up 20 Bills of one Denomination—his Clerk expressly says so, and Reason points out the Explanation so made, by *Campbell*, to be true. Connect these together,

together, and but for a Moment consider if the Money shewn by *Ford* to *Reynolds* in Sheets was Part of the Money stolen---those were Bills of a different Denomination—Surely this cannot be Part of the Money stolen, because it does not answer the Description given of it by the Treasurer and Clerk, who must have known better than any Body else how the Money was kept.

Your Committee having not only given some few Reasons why they think the Bills in the Iron Chest, in *July* 1768, were tied up 20 single Bills of one Sort in a Bundle, and having inserted Part of the Depositions of the Treasurer and *Campbell* his Clerk, think it unnecessary to say any Thing further to prove that the Argument so much relied on, and in the Mouths of almost every one of the Treasurer's *Friends*, as a strong Proof that *Ford* robbed the Treasury, is destroyed by the Oaths of the Treasurer and his Clerk.

His Excellency proceeds to mention “they might have been cut in—” to 2 or 4 Bills, for *ought* that appears to the contrary.”---Here again we have the Misfortune not to be of the same Opinion. We humbly conceive *ought* does appear to the contrary, *to wit*, what his Excellency is pleased himself to mention “the general Tenor of the Eastern Treasurer's Oath,” which naturally leads one to think “that all the Paper Money deposited *there*, was cut from the Sheets into *single* Bills.”

Campbell, in his Oath, says “that he *believes* the said Money” (the Money in the Chest at the Time of the counting) was all counted but not *all* cut.---His Excellency is of Opinion that “this *evidently* proves that “some uncut Money was kept in the Iron Chest.” Here again we cannot be of Opinion with His Excellency, because we apprehend Mr. *Campbell*'s *Belief* no *evident* Proof, when the Treasurer says it was all cut and bundled, and from the general Tenor of the Treasurer's Oath, this Inference may be fairly drawn.

His Excellency is also pleased to think “that it is not improbable likewise that some of that which was cut might have two or four Bills left “together.” And here again your Committee cannot help thinking it to be improbable, for the Reason before mentioned, which is, the general Tenor of the Treasurer's Oath (who knew best what was in the Chest) leads naturally to conclude they were bundled in single Bills.

What confirms your Committee in this Opinion, that the Bills stolen from the Treasury were cut out of Sheets into single Bills, is,

That when the Treasurer was examined before the House in 1770, he declared this to be so.

The next Matters which occur are some Extracts made from the Confessions of Dr. *Budd* and *Samuel Haines*, by which it is said “the Robbery of the Treasury are strongly implied.”

These Implications are said to arise because “those *very* Bills of 12 “and 15 Shillings,” passed by *Haines* and *King* to *Bott* and *Hedden*, were sent by them to *Isaac Ogden*, from him to Mr. *Skinner*, and by him laid before the Governor and Council, who adjudged them *good Bills*, tho' they were received as *counterfeit*.---And “what too I imagine must have “contributed to deceive them, was his having (as there is Reason to believe) among the Treasury Bills, some of those *signed* by only two
“*Signers*,

“ *Signers*, and his letting them see him sign those with the *Name* which was wanting---from *Hints Ford* dropped, or, to use *Budd’s* own Words, from what *Ford* told him, and from the Newness and Goodness of the Bills, he had Reasons for supposing the Money he received of *Ford*, soon after he came from *New-York*, to be “ *Treasury Money*.”

Here your Committee think it proper to observe that they have not been able to discover the strong Implications mentioned, because,

1. The Supposition that there is Reason to believe, that there were Bills amongst the Treasury Money, only signed by two Signers, is a Supposition without the least Foundation to support it, for the Treasurer, in his Oath, declares they were signed by “ *Richard Smith, Johnson* and “ *himself*.”

And what induces your Committee to believe this fully, is, that some of the Members of the late Assembly well recollect, that it gave them some Surprise, to hear the Treasurer, on his Examination before the House, confirm his Deposition as to the Bills being all signed; well knowing the Custom to be, for the Treasurer to sign the Money when occasionally wanted, and to keep it in general unsigned, as a Security to the Publick in case of a Robbery; and that he was asked, how so considerable a Sum came to be all signed? to which he answered, he had drawn the Money for the Service, and thought he ought to do it, or Words to that Effect.

Ford’s having new Money is also a very equivocal Sign of his having had any Concern in the Robbery.---The Bond to *Reynolds* is a Sign that he had the Command of Money (and, from *Reynolds’s* Confession, it consisted of new Money and old Money also) so as to let it out to Interest; both which might be good.

It also appears from hence that the 12 and 15 Shilling Bills, which *Cooper* saw him sign in 1771, must have been Counterfeits; and if they were of the same Kind of those 12 and 15 Shilling Bills passed by *Budd* or *Haines* to *Bott* or *Hedden*, it gives strong Suspicion to believe what your Committee have before observed, that it is not improbable but that *Ford* may have counterfeited the *Jersey* Money in such a Manner as that the Discovery still remains to be made.

If *Budd’s* Answers to the Queries be true, he says *Ford* told him he had counterfeited *Three Pound, Thirty Shilling, and Fifteen Shilling, Jersey* Bills, before he went to *England*; which further confirms the foregoing Observation: For when he had once acknowledged his having been guilty of Counterfeiting, your Committee cannot see the Reason he had for deceiving *Budd*, as to the Denominations. Any Supposal here, and in many other Places, that any Action was for this or the other Purpose, is not Reasoning—From Conjecture, no Argument, that strongly implies any Thing, can be drawn.

After having mentioned *Budd* and *Haines’s* Confessions “ which are in general supposed to be given sincerely and truly,” and perhaps voluntarily, the Governor is pleased to mention,

“ That though it does not appear that *Ford* ever counterfeited the “ £. 3 Bills of *New-Jersey*, yet he let *Cooper* have One Hundred Bills “ of

“ of that Denomination, at one Time,” and goes on to observe on a Circumstance arising, *since* his Speech to the House, mentioning that the Robbery had *then* come to Light, from an Extract from the *Hibernia Company Books*.---“ By this Abstract it appears that *Benjamin Cooper*, “ in *August 1771* (which *probably* was immediately after he received “ the £. 300 from *Ford*) charges the said Company Cash to himself, “ £. 195 14---and that in the Expenditure of the Cash, a Number of “ People are made Debtors to Cash in sundry Sums, amounting to “ £. 162 11; and it is observable that most of these Payments are in “ such Sums as are exactly the Amount of one, two or more Bills of “ £. 3 Proc.”---From thence His Excellency is pleased to conclude that it is *highly probable* these Payments were made in Bills of *Three Pounds*---And, that the House may be Judges of this Probability, the Account is laid before them.

Your Committee confess they are greatly at a Loss to answer Arguments of this Nature, depending on these *highly probable* Circumstances---But there appears a few Mistakes;

1. It appears that *Ford* did counterfeit *New-Jersey Three Pound Bills* before he went to *England*, as clearly, by *Budd's Confession*, as that *Cooper* had the *Three Hundred Pounds* by *Cooper's Confession*.

2. By the Account sent by *Hough* it appears that *Cooper* charges Cash to himself at two different Times, to make up this £. 195 14, and that there are 17 Days between those Times.---His first Charge is dated *August* the 1st, for £. 90---the second *August* 18, for £. 105 14; so that the Expressions “ that this *probably* was *immediately* after he received “ the £. 300,” are rather too strong.

3. To reason from Conjectures is, in Effect, to do Nothing.---Why may it not be said, with equal Propriety, to be *highly probable* that *Cooper* received this £. 195 14 at two different Times, as well as credit himself so.

4. The Argument from the Abstract is, that because *Ben. Cooper* charges Cash to himself, in *August 1771*---£. 195 14---that it is probable this was *immediately* after he received the £. 300 of *Ford*.---From this Probability another is raised, that because some of the Payments were in such Sums as might be made in £. 3 Bills, it was *highly probable* they were paid in Bills of that Denomination*; and yet a third Probability is necessary to account for the Whole; for one of the Articles of Cash charged to *Cooper* £. 105 14 could not be paid in £. 3 Bills---a Mode of Argument that you may use to draw any Inference.

5. The same Inference as to the Expenditure of the Cash may be drawn to render it highly probable they were paid in Bills of £. 1 10---but a stronger Inference may be made to prove they were paid in Bills of 1s. 6d. for more Sums mentioned in the Account can be paid in the last than in £. 3 Bills.

Your Committee have bestowed too long Time on this, and proceed to observe that the 9th Reason, mentioning that *Ford* counterfeited only 3 and 6 *Shilling* Bills before he went to *England*, hath been already answered and shewn, (if Dependence can be put on the Confessions)

D d

* Why could not these Payments have been made in Half-Joe's or *Pennsylvania* Currency?

sions) to be otherwise; but your Committee do not apprehend it appears that he (*Ford*) did not counterfeit Bills from that Time until *August* 1772, because at most your Committee (if they "remember right") think the Matters produced amount to no more, if true, than that they did not know he did, which by no Means proves a Fact, unless it had appeared that the Persons who did not know these Things, had all the Opportunities of Knowledge necessary to draw the Inference.

The 10th Argument is founded in Part on Conjecture, and in Part on a Fact that appears otherwise; for it appears to your Committee to be as probable (if not proved) that he did attempt the higher Denominations of *Jersey* Bills before he went, as after he returned from *England*.

Budd indeed says, that *Ford* told him so. Here again a Probability is introduced to contradict this Fact, that *Ford*, before he went to *England*, counterfeited £. 3 Bills; because the £. 3 Bills (as your Committee suppose) paid to *Cooper*, might be accounted for. The Mistake is only applied to the 60*s*. Bills. But if *Ford* gave *Budd* a true Account as to the 30*s*. could he have probably been mistaken as to the other; and what Reason can be given why he should deceive *Budd* as to the 60*s*. any more than the 30*s*.?

Another Observation is necessary, that where a Fact mentioned positively hinders an Inference in Favour of a particular Point, a Mistake is supposed; (this is the second Instance) but where a Fact favours a desirable Conclusion, it is true and depended on---Against this Reasoning your Committee need not say any Thing.

The eleventh Argument, raised from *Ford's* low Circumstances on his leaving *York*---his following no Business to get Money lawfully---and it being *manifest*, from the Evidence, he could not get much before his Return from *England*, and his having such Sums before he went---are Arguments that do not render it *highly probable* that he had a Share of the Treasury Money. The same Inference may be drawn to prove that he was concerned in the Robberies committed in *Philadelphia* or *New-York*, for two Years before his so going to *England*.---Indeed if any Dependence can be put on *Reynolds's* Narrative, *Ford* did not care to let People know he had Money, when he put it out to Interest; so that what he had could not be well ascertained.

To the Calculation of what *Ford* or his Mistress might spend, or what it costs in Coach-Hire to get from *Birmingham* to *Bristol*, your Committee think it proper to say but little---The Calculation may be just for *ought* they know; but of this they confess themselves to be but indifferent Judges, having never had the *Experience* how chargeable these Matters are.

Two Affidavits taken since the Session of Assembly from *Corryell* and *M'Donald* prove but little.---A Man of *Richardson's* Character must have had many Ways to get Money which are unknown to others.---It is hardly probable *Richardson* would have been counting the Money in *Corryell's* Presence, taken from the Treasury in *Jersey*, so soon after the Robbery; besides this Argument equally applies to other Robberies.

Your Committee having thus gone through the Answer of the 29th Instant, beg Leave to make a few general Remarks:

1. They

1. They really believe His Excellency to have "taken much Pains," not only in selecting the Passages on which he grounds his Sentiments, but also in establishing the Credibility, as well as in the Discovery, of the Mistakes committed in the several Confessions and Depositions.

2. They also think great Pains hath been taken in procuring these Documents, as well as in the Preservation of every minute Paper, intimating even a Suspicion on the Subject.

3. Your Committee, notwithstanding all these Things, cannot say that they have brought the Affair of the Robbery of the Treasury to Light. Whether they induce a Suspicion of *Ford* or *Richardson*, or any other, having committed this atrocious Fact, they submit to the House.

4. No Person but *Cooper* speaks positively, that *Ford* was concerned in this Robbery. Whether the Arguments used to induce him to this Confession, render his Account credible, they also submit.

5. That it is possible your Committee may have misrepresented or mistaken some Facts; but they do assure the House, if that should be the Case, they have not done it willingly.

6. Admitting the Money to have been stolen, your Committee look on the Treasurer to be liable to the Payment of it at Law; for which Reason they submit it to the House, whether it is necessary to go into the further Inquiry thereof?

With Respect to the present Situation of the Treasury:

The Treasurers, as your Committee have been informed, have entered into Bonds, which your Committee think ought to be laid before the House, by which they will be enabled to judge of the present Situation thereof.

Your Committee know of no Method, to bring the Affair of the Robbery of the Treasury to a Settlement, so eligible as that proposed by the House at the last Sessions.

It is in vain to propose Methods of effecting this Purpose, and have them rejected. But as this Matter hath rested for upwards of five Years unsettled, which gives real Uneasiness to the Colony, your Committee should have been glad to have found that His Excellency had discovered a Mode for effectuating the Settlement of this important Point, and mentioned it to the House in his Speech, as well as intimated that the Robbery had been brought to Light.

Your Committee think it highly proper for the Assembly to address the Governor on this Subject, requesting the Removal of the Treasurer from his Office, and to institute a Suit against him for the Money said to have been stolen.

Your Committee apprehend his Removal, previous to such Suit, to be necessary. They cannot see with what Propriety one can be brought for the Sum so said to be lost, and which he contends that he is not liable to the Payment of, until what he admits to be in his Hands, belonging to the Province, is removed where the People have more Confidence to place it. It seems to your Committee absurd to sue a Person for a Sum of Money who, in case of a Recovery on that Suit, is the Person, by Virtue of his Office, entitled to receive the Sum so recovered.

His

His Excellency hath, no Doubt, bestowed some Thoughts on this Subject, and perhaps may be prepared to point out to the House some Mode of Proceeding.

Your Committee cannot help observing, that tho' this Affair of the Robbery of the Treasury happened above five Years ago, no one Branch of the Legislature, except the Assembly (as your Committee recollect) have ever pointed out one Method to settle the Dispute, and thereby re-establish the Peace of the Province.

All which is submitted to the House.

JOHN WETHERILL,
SAMUEL TUCKER,
ROBERT FRIEND PRICE,
RICHARD LAWRENCE,
JOHN SHEPPARD,
JOHN HINCHMAN,
JAMES KINSEY.

The House adjourned till Two, P. M.

The House met.

On Motion made,

Resolved,

That it is the Opinion of this House, that the Affair of the Robbery of the Eastern Treasury, mentioned in His Excellency's Speech, has not yet been brought to Light :

Yeas.	Yeas.	Yeas.	Nays.
Mr. Combs,	Mr. Winds,	Mr. Holme,	Mr. Garritse,
Mr. Wetherill,	Mr. Kinsey,	Mr. Hand,	Mr. Fisher,
Mr. Moores,	Mr. Hewlings,	Mr. Eldridge,	Mr. Roy,
Mr. Taylor,	Mr. Paxson,	Mr. Tucker,	Mr. Demarest,
Mr. Lawrence,	Mr. Sykes,	Mr. Mehelm,	Mr. Pettit.
Mr. Crane,	Mr. Hinchman,	Mr. Sheppard,	
Mr. Dey,	Mr. Price,	Mr. Elmer,	
Col. Ford,	Mr. Gibbon,	Mr. Van Horne.	

According to Order, the House again resolved itself into a Committee of the whole House on His Excellency's Speech; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported that the Committee had gone through the Governor's Speech, and had come to one Resolution, which he was ready to report whenever the House will please to receive the same; and that the Committee desired Leave to sit again upon the other Matters to them referred;

Ordered,

That the Report be made immediately, and that the said Committee do sit again:

Whereupon Mr. *Fisher* reported the said Resolution as follows, *viz.*

Resolved,

That this House will grant a Supply for the Troops quartered in the Barracks of this Colony.

On

On the Question, Whether the House agrees to the said Resolution of the Committee, or not? It was carried in the Affirmative, as follows, viz.

Yeas.	Yeas.	Yeas.	Nays.
Mr. Combs,	Mr. Dey,	Mr. Gibbon,	Mr. Taylor,
Mr. Wetherill,	Mr. Demarest,	Mr. Holme,	Mr. Lawrence,
Mr. Moores,	Col. Ford,	Mr. Hand,	Mr. Hinchman,
Mr. Crane,	Mr. Winds,	Mr. Eldridge,	Mr. Tucker,
Mr. Garritse,	Mr. Kinsey,	Mr. Mehelm,	Mr. Sheppard.
Mr. Fisher,	Mr. Hewlings,	Mr. Elmer,	
Mr. Roy,	Mr. Price,	Mr. Van Horne,	
		Mr. Pettit.	

Ordered,

That Mr. *Fisher*, Mr. *Wetherill*, Mr. *Crane*, Mr. *Kinsey* and Mr. *Gibbon*, be a Committee to prepare and bring in the Draught of an Address to His Excellency.

Ordered,

That Mr. *Hinchman*, Mr. *Mehelm* and Mr. *Sheppard*, be a Committee to prepare and bring in a Bill to make it Felony to counterfeit the Silver and Gold Coins of foreign Countries current in this Colony, or uttering the same, knowing them to be counterfeit.

Ordered,

That Mr. *Dey*, Mr. *Combs*, Mr. *Lawrence*, Mr. *Tucker* and Mr. *Taylor* be a Committee to prepare and bring in a Bill for Support of Government.

Ordered,

That Mr. *Price*, Mr. *Holme*, Mr. *Moores*, Mr. *Roy*, Mr. *Pettit*, and Mr. *Elmer*, be a Committee to prepare and bring in a Bill for the Supply of the Troops, quartered in the Barracks of this Colony, and for other Incidental Charges.

The House adjourned till Monday Morning, Ten o'Clock.

Monday, December 20, 1773.

The House met.

The Engrossed Bill, entitled, *A supplementary Act to an Act, entitled, An Act for the more effectual Discovery and Punishment of the Crime of Horse-Stealing*, was read and compared; on the Question,

Resolved,

That the same do pass.

Ordered,

That Mr. *Price* and Mr. *Holme* do carry the said Bill to the Council for Concurrence.

The House adjourned till Two, P. M.

The House met.

Mr. *Price* reported, that Mr. *Holme* and Himself delivered the Bill with them intrusted to the Speaker in Council.

E e

Mr. Sykes

Mr. *Sykes* reported, that Mr. *Pettit* and Himself delivered the Bill with them intrusted to the Speaker in Council.

The two Memorials from the Eastern Treasurer were read the second Time ;

Ordered,

That Mr. *Wetherill*, Mr. *Kinsley*, Mr. *Hinchman* and Mr. *Sheppard*, be a Committee to prepare and bring in the Draught of a Message to His Excellency upon the Subject Matter of the Report of this House of the 17th Instant, so far as the same relates to the Removal of the Eastern Treasurer, and the Suit mentioned in the said Report, and that the two Memorials of the Eastern Treasurer be referred to the said Committee.

Ordered,

That no Memorials, or Petitions, be hereafter entered at large upon the Minutes of this House without the Order of the House.

The Petition from the Executors of Col. *Schuyler*, was read the second Time ; and Mr. *Isaac Ogden* and the Honorable *John Stevens*, Esq. were heard before the House upon the subject Matter of the same ;

Ordered,

That the Consideration thereof be referred till To-morrow Morning.

The House adjourned till Nine o'Clock To-morrow Morning.

Tuesday, December 21, 1773.

The House met.

Mr. *Hinchman*, from the Committee to whom the Bill, entitled, *An Act for the more equitable Manumission of Slaves, and other Purposes concerning them*, was committed, reported the same with sundry Amendments ; the Bill was read with the Amendments in their Places ;

Ordered,

That the Bill be re-committed to the same Committee, and that Mr. *Combs* and Mr. *Kinsley* be added to the said Committee.

Mr. *Dey*, from the Committee appointed for the Purpose, brought in a Bill, entitled, *An Act for the Support of Government of His Majesty's Colony of New-Jersey, to commence the first Day of October One Thousand Seven Hundred and Seventy-three, and to end the first Day of October One Thousand Seven Hundred and Seventy-four, and to discharge the publick Debts and contingent Charges thereof* ; which was read, and ordered a second Reading.

According to Order, the House resumed the Consideration of the Petition from the Executors of Col. *Schuyler* ; and after some Time spent therein,

Ordered,

That Mr. *Fisher*, Mr. *Wetherill*, Mr. *Paxson*, Mr. *Tucker* and Mr. *Gibbon*, be a Committee to inspect the Journals of this House, and state to the House the several Accounts and Reports relative to the late Col. *Peter Schuyler*.

Mr.

Mr. *Wetherill*, from the Committee appointed to that Service, brought in a Report upon the two Memorials of the Eastern Treasurer; and upon the Question, whether the said Report be received and entered upon the Minutes of the House or not? It passed in the Affirmative as follows, *viz.*

Yeas.	Yeas.	Yeas.	Nays.
Mr. <i>Combs</i> ,	Mr. <i>Paxson</i> ,	Mr. <i>Mehelm</i> ,	Mr. <i>Crane</i> ,
Mr. <i>Wetherill</i> ,	Mr. <i>Sykes</i> ,	Mr. <i>Sheppard</i> ,	Mr. <i>Garritse</i> ,
Mr. <i>Moore</i> s,	Mr. <i>Hinchman</i> ,	Mr. <i>Elmer</i> ,	Mr. <i>Fisher</i> ,
Mr. <i>Taylor</i> ,	Mr. <i>Price</i> ,	Mr. <i>Van Horne</i> .	Mr. <i>Roy</i> ,
Mr. <i>Lawrence</i> ,	Mr. <i>Holme</i> ,		Mr. <i>Demarest</i> ,
Mr. <i>Dey</i> ,	Mr. <i>Hand</i> ,		Col. <i>Ford</i> ,
Mr. <i>Winds</i> ,	Mr. <i>Eldridge</i> ,		Mr. <i>Hewlings</i> ,
Mr. <i>Kinfey</i> ,	Mr. <i>Tucker</i> ,		Mr. <i>Gibbon</i> ,
			Mr. <i>Pettit</i> .

Ordered,

That the said Report be entered accordingly, and the same is as follows, *viz.*

IN Pursuance of the Order of the House, the Committee have taken into their Consideration the two Memorials of the Eastern Treasurer, on which they beg Leave to Report—

That before any Trial can be had with Propriety, your Committee apprehend the Treasurer ought to be removed from his Office.

If the Treasurer is really desirous of such Trial, your Committee think he ought to convince the House, by his Resignation, of such his Intentions; for it appears absurd to enter into a Dispute about the Sum said to have been stolen, before the Residue, which the Treasurer admits to be due to the Province, is put in other Hands.

If such Trial was had, and a Judgment obtained against the Treasurer, an Execution cannot be issued to secure the Monies until such Resignation; and they do not apprehend that the Publick should bring such Suit and confide in the Promise he is pleased to make, to resign on Condition a Verdict should be had against him.

This Committee apprehend the Memorials ought not to be complied with. The House can direct no Suit at Law that will answer any good Purpose, without a previous Resignation; if that be done, they ought to endeavour to have a Suit brought immediately.

The Committee are of Opinion, that, so far from prejudicing the Eastern Treasurer on his Trial, his Resignation would have the greatest Tendency to remove any Prejudices which the People may have already imbibed, as it would shew a Disposition in the Treasurer really to give the People of the Colony an Opportunity to obtain a Trial on Terms, which may, consistent with the publick Welfare, be complied with.

Mr. *Wetherill* also reported the Draught of a Message to His Excellency; and upon the Question, whether the same be received and sent accordingly? It passed in the Affirmative as follows. *viz.*

Yeas

Yeas.	Yeas.	Yeas.	Nays.
Mr. Combs,	Mr. Kinsey,	Mr. Eldridge,	Mr. Crane,
Mr. Wetherill,	Mr. Paxson,	Mr. Tucker,	Mr. Garritse,
Mr. Moores,	Mr. Sykes,	Mr. Mehelm,	Mr. Fisher,
Mr. Taylor,	Mr. Hinchman,	Mr. Sheppard,	Mr. Roy,
Mr. Lawrence,	Mr. Price,	Mr. Elmer,	Mr. Demarest,
Mr. Dey,	Mr. Holme,	Mr. Van Horne.	Col. Ford,
Mr. Winds,	Mr. Hand,		Mr. Hewlings,
			Mr. Gibbon,
			Mr. Pettit.

Ordered,

THAT Mr. Mehelm and Mr. Taylor do wait on His Excellency, and inform him, That the House look on the Robbery of the Treasury to be of so much Consequence to the Colony, that consistent with the Trust reposed in them, they cannot remain silent. The House conceive publick Utility may render it necessary that a Person should be removed from an Office, and yet that Removal cannot be deemed a Punishment. If a Person in Office should appear to be incapable of performing the Duties of it, in order to prevent any publick Detriment, a Removal should take place, and with equal Reason this Remedy ought to be applied where there appears to have been a Neglect in keeping the publick Money.

The House know of no Action, in which the Negligence of the Eastern Treasurer can be brought in Question, but they request His Excellency would be pleased to look into the Affidavits laid before the House in 1770, and they apprehend some Instances of Negligence will appear.

In order to restore that Harmony, which ought to subsist between the several Branches of the Legislature, and to quiet the general Uneasiness of the Colony, the House renew their Request, that His Excellency would be pleased to remove the Treasurer from his Office, in order that a Suit may be instituted against him for the Recovery of the Money.

The House adjourned till Two, P. M.

The House met.

Mr. Mehelm reported, That Mr. Taylor and Himself delivered the Message of this Morning to His Excellency, who was pleased to say, that he would take the same into Consideration.

The Bill, entitled, *An Act to enable the Owners and Possessors of Lands, Meadows, Swamps and Marshes on both Sides of Assunpink Brook, from the Province Line to the Lands of John Ely, to clear the Obstructions to the free Passage of the Waters of the said Brook, and for other Purposes therein mentioned*, was read the second Time, and committed to Mr. Kinsey, Mr. Combs, Mr. Lawrence and Mr. Taylor.

The Bill, entitled, *An Act to regulate the Packing of Beef and Pork, and to ascertain the Size of Casks*, was read the second Time, and committed to Mr. Sheppard, Mr. Lawrence and Mr. Tucker.

The House adjourned till Nine o'Clock To-morrow Morning.

Wednesday,

Wednesday, December 22, 1773.

The House met.

Mr. Speaker having, at the Beginning of this Session, laid before the House sundry Letters from the Speakers of the several Houses of Representatives of the Colonies of *Virginia*, *Massachusetts Bay*, *Connecticut*, *Rhode-Island*, and the Lower Counties on *Delaware*, inclosing Resolves of their several Assemblies, respecting the common Rights of the Colonies; the same were now read the second Time;

Ordered,

That the Consideration thereof be deferred.

Mr. *Fisher*, from the Committee appointed to examine the late Col. *Peter Schuyler's* Accounts, reported,

That they have examined the Journals of the House, and some Original Accounts of the said Col. *Schuyler* furnished to the Committee by the Western Treasurer, and find in *Lib. F. Fol. 336*, a Resolution of 11th August 1758, that the Charge of £. 1333: 9: 0 $\frac{1}{4}$, for which the said Col. *Schuyler* produced no Vouchers, ought not to be allowed: And by an Account settled in *Lib. G. Fol. 67* and *68*, find an Account settled, and a Balance due to the Colony of £. 258: 8: 11, which is carried to another Account in the same Book, *Fol. 400*; and by a Settlement there stated, there appears a Balance due to the Colony of £. 1496: 14: 3 over and above £. 200 allowed the said Col. *Schuyler* for his Expences, for which he produced no Vouchers; which corresponding with the Accounts laid before the Committee by the Treasurer, your Committee are of Opinion, that the said Balance of £. 1496: 14: 3 remains due to the Colony, as stated in the Journals of the House, in *Lib. G. Folio 400*. All which is submitted to the House.

The House, taking the said Report, and the Petition of the Executors of Col. *Schuyler* into Consideration, agreed to the said Report; and on the Question,

Ordered,

That the said Petition do lie on the Table.

Ordered also,

That the Attorney-General and Counsel employed on the Part of the Colony, do forthwith proceed in the Suit commenced against the Petitioners.

The Bill, entitled, *An Act for the Relief of Jacob Kemper, an Insolvent Debtor*, was read the second Time;

Ordered,

That the Consideration thereof be deferred.

Mr. *Fisher*, from the Committee appointed for the Purpose, brought in the Draught of an Address to His Excellency; which was read, and ordered a second Reading.

The House adjourned till Two, P. M.

The House met.

F f

Mr.

Mr. *Hinchman*, from the Committee appointed for the Purpose, brought in a Bill, entitled, *An Act to make it Felony to counterfeit foreign Gold and Silver Coin, and for other Purposes therein mentioned*; which was read, and ordered a second Reading.

Ordered,

That Mr. *Fisher* and Mr. *Crane* do wait on His Excellency, and desire His Excellency will be pleased to grant the House a Recess.

Col. *Ford*, from the Committee to whom the Bill, entitled, *An Act to enable sundry Persons, Proprietors of certain Lands and Meadows lying upon the Walkill, in the County of Suffex, commonly called and known by the Name of the Drowned Lands, to drain the same, and for other Purposes therein mentioned*, was committed, reported the same with several Amendments thereto; the said Bill was read with the Amendments in their Places, and the Bill as amended was agreed to by the House, and ordered to be engrossed.

Mr. *Fisher* reported, that Mr. *Crane* and Himself delivered the Message of the House to His Excellency.

A Message from His Excellency by Mr. D. Secretary *Pettit*.

GENTLEMEN,

HIS Excellency has no Objection to your adjourning yourselves to *Thursday* the Third Day of *February* next.

Mr. Speaker then adjourned the House to *Thursday* the Third Day of *February* next, Nine o'Clock in the Morning.

Thursday, February 3, 1774.

The House met pursuant to Adjournment, and for Want of a sufficient Number of Members to proceed upon Business, adjourned till Nine o'Clock To-morrow Morning.

Friday, February 4, 1774.

The House met.

Mr. *Fisher*, from the Committee on the Road Bill, brought in a Bill, entitled, *An Act to empower the Inhabitants of the Townships of Elsinborough, Pilesgrove and Pittsgrove, in the County of Salem, to repair their publick Highways by Hire, and to raise Money for that Purpose*; which was read, and ordered a second Reading.

The Petition from sundry Freeholders and Inhabitants of the County of *Burlington*, praying a Continuance of the Act for raising a Fund for defraying Damages done by Dogs, in the Counties of *Somerset*, *Hunterdon*, *Burlington* and *Gloucester*, was read the second Time;

Ordered,

That the same be referred to the next Session of General Assembly.

The House adjourned till Three, P. M.

The

The House met.

The Engrossed Bill, entitled, *An Act to enable sundry Persons, Proprietors and Possessors of certain Lands and Meadows lying upon the Wal-kill, in the County of Suffex, commonly called and known by the Name of the Drowned Lands, to drain the same, and for other Purposes therein mentioned*, was read and compared; on the Question,

Resolved,

That the same do pass.

Ordered,

That Mr. Demarest and Mr. Van Horne do carry the same to the Council for Concurrence.

The Engrossed Bill, entitled, *An Act for the Settlement and Relief of the Poor*, was read and compared; on the Question,

Resolved,

That the same do pass.

Yeas.	Yeas.	Yeas.	Nays.
Mr. Combs,	Col. Ford,	Mr. Tucker,	Mr. Wetherill,
Mr. Lawrence,	Mr. Winds,	Mr. Mebelm,	Mr. Taylor,
Mr. Crane,	Mr. Paxson,	Mr. Elmer,	Mr. Kinsey,
Mr. Garritse,	Mr. Sykes,	Mr. Van Horne.	Mr. Hinchman,
Mr. Fisher,	Mr. Holme,		Mr. Price.
Mr. Roy,	Mr. Hand,		
Mr. Demarest,	Mr. Eldridge,		

Ordered,

That Mr. Roy and Mr. Sykes do carry the said Bill to the Council for Concurrence.

Four Petitions were presented to the House from the County of Morris, praying, that all Money out at Interest in this Colony may be taxed; which were read, and ordered to be read a second Time.

The House adjourned till Nine o'Clock To-morrow Morning.

Saturday, February 5, 1774.

The House met.

Mr. Demarest reported, that Mr. Van Horne and Himself delivered the Bill with them intrusted to Mr. Smith, one of the Gentlemen of the Council, the Council not then sitting.

Mr. Roy reported, that Mr. Sykes and Himself delivered the Bill with them intrusted to Mr. Smith, one of the Gentlemen of the Council, the Council not then sitting.

A Petition was presented to the House from the County of Salem, signed by 256 Freeholders and Inhabitants; another was presented from Evesham, in the County of Burlington, signed by 92; a Third from Northampton, in the same County, signed by 33; a Fourth from Wellingborough, in the same County, signed by 36; a Fifth from Waterford,

ford, in the County of Gloucester, containing 68 Names; a Sixth from Newtown, in the same County, containing 70; a Seventh from Great-Eggbarbour, in the same County, containing 80—all praying that, for the Reasons in the same contained, the Eastern Treasurer may be removed from his Office, or that no Supplies may be lodged in the Eastern Treasury till that is effected, and that a Law may pass to oblige the Treasurers to give Security for the safe Keeping of the Publick Money; which Petitions were read, and ordered to be read a second Time.

A Petition was presented to the House from John Okle Smith, setting forth, that the Petitioner has been convicted and punished for Grand Larceny, and is detained in the Gaol of Burlington County for Fees due to the Attorney-General, and at a considerable Charge to the County, and praying to be discharged from Imprisonment; which was read, and ordered a second Reading.

The Bill, entitled, *An Act to empower the Inhabitants of the Townships of Elsinborough, Pilesgrove and Pittsgrove, in the County of Salem, to repair their publick Highways by Hire, and to raise Money for that Purpose*, was read the second Time, agreed to, and ordered to be engrossed.

The House adjourned till Monday Morning Nine o'Clock.

Monday, February 7, 1774.

The House met.

The Engrossed Bill, entitled, *An Act to empower the Inhabitants of the Townships of Elsinborough, Pilesgrove and Pittsgrove, in the County of Salem, to repair their publick Highways by Hire, and to raise Money for that Purpose*, was read and compared; on the Question,

Resolved,

That the same do pass.

Ordered,

That Mr. Holme and Mr. Elmer do carry the said Bill to the Council for Concurrence.

The Engrossed Bill, entitled, *An Act for regulating Roads and Bridges*, was read and compared; on the Question,

Resolved,

That the same do pass.

Yeas.

Mr. Combs,
Mr. Lawrence,
Mr. Crane,
Mr. Garritse,
Mr. Fisher,
Mr. Roy,
Mr. Demarest,
Col. Ford,

Yeas.

Mr. Winds,
Mr. Paxson,
Mr. Hand,
Mr. Eldridge,
Mr. Tucker,
Mr. Mebelm,
Mr. Elmer,
Mr. Van Horne.

Nays.

Mr. Wetherill,
Mr. Taylor,
Mr. Sykes,
Mr. Hinchman,
Mr. Price,
Mr. Holme,
Mr. Sheppard.

Ordered,

Ordered,

That Mr. *Fisher* and Mr. *Crane* do carry the said Bill to the Council for Concurrence.

The House adjourned till Two, P. M.

The House met.

Four Petitions were presented to the House from Four Hundred and Fifty-two of the principal Freeholders, Magistrates, and others of the County of *Gloucester*, praying, for sundry Reasons therein set forth, that the House will pursue every legal Measure to obtain the Removal of the Eastern Treasurer, and that no Publick Money may be put into his Hands till that is effected ; the same were read, and ordered to be read a second Time.

A Petition was presented to the House from seventy-one Freeholders and other Inhabitants of the Township of *Northampton*, in the County of *Burlington*, praying that the Eastern Treasurer may be removed from his Office, and then a Prosecution commenced against him for the Recovery of the Publick Money said to be stolen from the Treasury ; and that a Law may pass to oblige the Treasurers to give undoubted Security for the safe Keeping of the Publick Money ; the Petition was read, and ordered a second Reading.

A Petition was presented to the House from seventy-one principal Freeholders and Inhabitants of the County of *Cape-May*, praying that the Eastern Treasurer may be removed from his Office ; and should His Excellency decline removing him, then the Petitioners pray that the House will address the King to remove the said Treasurer ; the same was read, and ordered a second Reading.

A Petition was presented to the House from fifty of the Magistrates and principal Freeholders and other Inhabitants of *Fairfield* Township, in the County of *Cumberland* ; as was another from eighty-one of the Magistrates and principal Freeholders and other Inhabitants of *Downs* Township, in the County of *Cumberland* ; both praying that the House will take every legal Measure to obtain the Removal of the Eastern Treasurer, and till that is done, that no Money may be put in his Hands ; the same were read, and ordered to be read a second Time.

The House adjourned till Nine o'Clock To-morrow Morning.

Tuesday, February 8, 1774.

The House met.

A Petition was presented to the House from sundry principal Freeholders and Inhabitants of the Township of *Deptford*, in the County of *Gloucester*, setting forth the Importance of preserving Sheep, and that great Destruction has been made of them by Dogs, and praying an Act of Assembly (at least for the Township of *Deptford*) to oblige the

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Owners

Owners of Dogs to secure them from running about at Nights ; the Petition was read, and ordered a second Reading.

Mr. Speaker laid before the House a Letter from the Speaker of the House of Delegates of the Province of *Maryland*; inclosing certain Resolutions of that House of the 15th of *October* last, respecting the common Rights of the Colonies ; which were read :

Then the House resumed the Consideration of the several Letters and Resolutions of the other Houses of Assembly, on the Subject-Matter of the common Rights and Liberties of the Colonies ; and the House resolved itself into a Committee of the whole House, upon the Matters aforesaid ; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Crane*, Chairman of the Committee, (by Order of the House) reported the Resolutions of the Committee, as follow, *viz.*

1. *Resolved,*

That it is the Opinion of this Committee, that the House should heartily accept of the Invitation to a mutual Correspondence and Intercourse with our Sister Colonies ; to which the House agreed, *Nemine Contradicente.*

2. *Resolved,*

That it is the Opinion of this Committee, that a Standing Committee of Correspondence and Inquiry be appointed, to consist of the following Persons, *to wit,* *James Kinsey, Stephen Crane, Hendrick Fisher, Samuel Tucker, John Wetherill, Robert Friend Price, John Hinckman, John Mehelm* and *Edward Taylor*, Esquires, or any five of them, whose Business it shall be to obtain the most early and authentick Intelligence of all Acts and Resolutions of the Parliament of *Great-Britain*, or the Proceedings of Administration that may have any Relation to, or may affect the Liberties and Privileges of His Majesty's Subjects in the *British* Colonies in *America*, and to keep up and maintain a Correspondence and Communication with our Sister Colonies, respecting these important Considerations ; and that they do occasionally lay their Proceedings before the House ; to which the House agreed, *Nemine Contradicente.*

3. *Resolved,*

That it is the Opinion of this Committee, that the said Committee of Correspondence do write Letters to the several Speakers of the Assemblies on the Continent of *America*, inclosing these Resolutions, and requesting them to lay the same before their respective Assemblies ; and that they do return the Thanks of the House to the Burgesses of *Virginia*, for their early Attention to the Liberties of *America* ; to which the House agreed, *Nemine Contradicente.*

The House adjourned till Two, P. M.

The House met.

Two Petitions were presented to the House from sundry Freeholders and other Inhabitants of the City and County of *Burlington*, praying an Act of Assembly for the building of a Bridge over *Affscunk* Creek, in the City of *Burlington*, from the Landing on *Broad-Street*, near the Barracks,

Barracks, to the Land of Mr. *Arent Schuyler* on the opposite Side, and for laying out a Road from thence, as nearly straight as may be, into *York Road*, at or nigh the House of *Edward Bolton*, at the Charge of the County of *Burlington*; the said Petitions were read, and ordered to be read a second Time.

A Petition was presented to the House from divers Freeholders of the Western Precinct of the County of *Somerset*, praying to be relieved from the Burden of maintaining *Stony-Brook* Bridge, and that no Act may pass for raising Taxes to pay what remains due on the Bridges over *Raritan*; the same was read, and ordered a second Reading.

A Petition was presented to the House from the County of *Salem*, another from the County of *Essex*, and a third from the County of *Somerset*, all setting forth the Mischiefs arising from the Toleration of personal Slavery, and praying a Prohibition to the Importation of Negro Slaves, and a Repeal or Alteration of the Laws restricting the Manumission of them; the same were read, and ordered to be read a second Time.

A Petition was presented to the House from *Sarah Ely*, *Isaac De Cow* and *David Brearley*, jun. setting forth the accidental Loss, by Fire, of two Title-Deeds for Lands conveyed to *John Mullin*, deceased, and praying an Act of Assembly to establish the Title in the said *John Mullin*; the Petition was read, and ordered a second Reading.

Three Petitions were presented from *Middletown*, in the County of *Monmouth*, signed by one Hundred and twenty-five principal Freeholders and other Inhabitants; one from the County of *Cape-May*, signed by Fifty-five; and one from the Township of *Chester*, in the County of *Burlington*, signed by Forty—all praying for the Removal of the Eastern Treasurer; the same were read, and ordered to be read a second Time.

On Motion made,
Ordered,

That Mr. *Kinsey*, Mr. *Hinchman* and Mr. *Mehelm*, be a Committee to prepare and bring in the Draught of a Message to His Excellency, requesting His Excellency to favour the House with an Answer to their Message of the 21st of *December* last.

The Bill, entitled, *An Act to alter the Time of holding the Annual Town-Meetings within this Colony*, was read the second Time, amended in the House, and, on the Question, agreed to, and ordered to be engrossed.

The Bill, entitled, *An Act for the more effectual regulating Carriages of Burden, and others within this Colony*, was read the second Time, and the Consideration thereof referred to the next Session of General Assembly.

Mr. *Weiberill*, from the Committee appointed for that Purpose, brought in a Bill, entitled, *An Act for the more effectual Prevention of Lotteries, Horseracing, Cockfighting and Shootingmatches within this Colony, and to prevent the Sale of Tickets in Lotteries erected out of the Colony, and*
for

for other Purposes herein mentioned ; which was read, and ordered a second Reading.

Mr. *Fisher* reported, that Mr. *Crane* and himself delivered the Bill with them intrusted to Mr. *Lawrence*, one of the Gentlemen of the Council, the Council not then sitting.

Mr. *Holme* reported, that Mr. *Elmer* and himself delivered the Bill with them intrusted to Mr. *Smith*, one of the Gentlemen of the Council, the Council not then sitting.

The House adjourned till Nine o'Clock To-morrow Morning.

Wednesday, February 9, 1774.

The House met.

The Engrossed Bill, entitled, *An Act to alter the Time of holding the Annual Town-Meetings within this Colony*, was read and compared ; on the Question,

Resolved,

That the same do pass.

Ordered,

That Mr. *Combs* and Mr. *Mehelm* do carry the said Bill to the Council for Concurrence.

The Petition from the Township of *Deptford*, in the County of *Gloucester*, for the Preservation of Sheep, was read the second Time ;

Ordered,

That a Bill be brought in accordingly, by the Members for the County of *Gloucester* :

Whereupon Mr. *Price* brought in a Bill, entitled, *An Act more effectually to prevent Dogs from killing Sheep, within the Township of Deptford, in the County of Gloucester* ; which was read, and ordered a second Reading.

The House adjourned till Two, P. M.

The House met.

A Petition was presented to the House from 58 reputable Freeholders and Inhabitants of the Township of *Chesterfield*, in the County of *Burlington*, praying for the Removal of the Eastern Treasurer, and then a Prosecution to be commenced against him for the Publick Money said to be stolen from the Treasury, and for a Law to oblige the Treasurers to give undoubted Security for the safe Custody of the Publick Money ; the Petition was read, and ordered a second Reading.

A Petition was presented to the House from 56 respectable Freeholders and Inhabitants in and about the City of *New-Brunswick*, setting forth, that they are informed the Affair of the Eastern Treasurer is not yet determined—that the Honourable House had requested the Governor to remove the Treasurer previous to a Trial, which the Governor did

did not think proper to grant, for Reasons set forth in his Message of the 23d September 1772—that they will not determine which is right—that they have since been informed that the Treasurer by his Memorials has declared his Willingness to submit to a Trial by a Jury of twelve Men, and by them stand or fall—that if this is true, and the House think proper to conclude thereon, it would, in their humble Opinion, be the most constitutional and agreeable to them—And also that the Bill, now under Consideration of the House, *for the more equitable Manumission of Slaves*, may not pass into a Law; the said Petition was read, and ordered a second Reading.

Mr. *Hinchman*, from the Committee appointed to that Service, brought in a Draught of a Message to His Excellency; on the Question, whether the same be engrossed and sent accordingly? It passed in the Affirmative:

Yeas.	Yeas.	Yeas.	Nays.
Mr. <i>Combs</i> ,	Mr. <i>Sykes</i> ,	Mr. <i>Eldridge</i> ,	Mr. <i>Crane</i> ,
Mr. <i>Wetherill</i> ,	Mr. <i>Kinsley</i> ,	Mr. <i>Tucker</i> ,	Mr. <i>Garritse</i> ,
Mr. <i>Taylor</i> ,	Mr. <i>Hinchman</i> ,	Mr. <i>Mehelm</i> ,	Mr. <i>Fisher</i> ,
Mr. <i>Lawrence</i> ,	Mr. <i>Price</i> ,	Mr. <i>Sheppard</i> ,	Mr. <i>Roy</i> ,
Mr. <i>Winds</i> ,	Mr. <i>Holme</i> ,	Mr. <i>Elmer</i> ,	Mr. <i>Demarest</i> ,
Mr. <i>Paxson</i> ,	Mr. <i>Hand</i> ,	Mr. <i>Van Horne</i> .	Col. <i>Ford</i> ,
			Mr. <i>Pettit</i> .

Ordered,

That the said Message be engrossed and sent accordingly; and the same is as follows, *viz.*

Ordered,

HOUSE of ASSEMBLY, Feb 9, 1774.

THAT Mr. *Lawrence* and Mr. *Combs* do wait on His Excellency, and acquaint him, That on the 21st of *December* last the House sent a Message to His Excellency desiring that he would be pleased to remove the Eastern Treasurer from his Office, and to order a Suit to be instituted against him for the Recovery of the Money said to be stolen.

As the House look on this Request to be a Matter of great Consequence, they hope His Excellency will seriously consider of it, and grant what they conceive will greatly tend to quiet the general Uneasiness of the Inhabitants, and to restore that Harmony necessary to the Welfare of the Publick.

The House are desirous of proceeding upon the Bill for Support of Government, and the Supply of the King's Troops, pursuant to their Resolutions already entered into—their subsequent Conduct, in some Measure, depends on His Excellency's Determination—they again beg Leave to mention they have no Confidence in the Eastern Treasurer, and should be very sorry to be compelled to Measures that should carry an Appearance of infringing any constitutional Customs of the Province—wherefore they beg His Excellency would be pleased to favour them with his speedy Answer to the above Message.

By Order of the House,

RICHARD SMITH, Clerk.

H h

A Petition

A Petition was presented to the House from the Grand-Jury of the County of *Burlington*, praying, that the House will postpone passing a Law for building a Bridge over *Affiscunk* Creek, in the City of *Burlington*, until it shall appear more necessary than at present; the said Petition was read, and ordered a second Reading.

Mr. *Lawrence* reported, that Mr. *Combs* and Himself delivered the Message of the House to his Excellency, who was pleased to say, he had an Answer to the former Message ready, and waited for a Council to lay the same before them, or Words to that Effect.

The Address to his Excellency was read the second Time, and committed to a Committee of the whole House.

The House accordingly resolved itself into a Committee of the whole House on the Address; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Crane*, Chairman of the Committee, reported, that the Committee had gone through the Address, and had made fundry Amendments thereto, which he was ready to report whenever the House will please to receive the same.

Ordered,

That the Report be made immediately:

Whereupon Mr. *Crane* reported the Address and Amendments, and the same being read, were agreed to by the House, *Nem. Con.* and ordered to be engrossed.

The House adjourned till Nine o'Clock To-morrow Morning.

Thursday, February 10, 1774.

The House met.

A Petition was presented to the House from the Grand-Jury, and other reputable Freeholders and Inhabitants of the County of *Hunterdon*, to the Number of 110, praying for the Removal of the Eastern Treasurer, and that some fair and judicious Mode of Trial may be adopted to bring him to account for all the Money belonging to the Publick, which is or ought to be in his Hands, and that such Laws may be passed as will effectually secure the Province from the like Disaster in future, by obliging the Treasurers to give sufficient Security for the faithful Performance of their respective Offices; the Petition was read, and ordered a second Reading.

Mr. *Combs* reported, that Mr. *Mehelm* and himself delivered the Bill with them intrusted to the Speaker in Council.

Mr. *Tucker*, from the Committee to whom the Bill, entitled, *An Act to regulate the Packing of Beef and Pork, and to ascertain the Size of Casks*, was committed, reported the same with fundry Amendments; the Bill was read with the Amendments in their Places, and the same being further amended in the House, on the Question, the Bill as amended was agreed to, and ordered to be engrossed.

The Engrossed Address to His Excellency was read and compared;

Ordered,

Ordered,

That Mr. Speaker do sign the same.

Ordered,

That Mr. Roy and Mr. Van Horne do wait on his Excellency and desire to know when his Excellency will be waited on by the House with their Addrefs.

The House adjourned till Two, P. M.

The House met.

Mr. Roy reported, that Mr. Van Horne and himself delivered the Message of this Morning to his Excellency, who was pleased to say, that he would let the House know.

Ordered,

That Col. Ford, Mr. Sykes and Mr. Winds, be added to the Committee on the Bill for suppressing the clandestine killing of Cattle.

A Memorial was presented to the House from the Honourable Samuel Smith, Esq. Treasurer of the Western Division, informing the House that the Memorialist hath now exchanged into the current Bills of Credit of this Colony £. 461 : 11 : 8 $\frac{1}{4}$, being a considerable Part of the deficient Loan-Office Money of Salem, and that he is ready to lay the same before the Council and House of Representatives, pursuant to Law.

Ordered,

That Mr. Sheppard, Mr. Combs, Mr. Tucker, Mr. Demarest and Mr. Mehelm, or any three of them, be a Committee to join a Committee of the Council to burn the above Sum, according to Law.

Ordered,

That Mr. Sykes and Mr. Pettit do inform the Council thereof, and desire they will appoint a Committee of their House accordingly, together with the Time and Place of Meeting.

The Engrossed Bill, entitled, *An Act to regulate the Packing of Beef and Pork, and to ascertain the Size of Casks*, was read and compared; on the Question,

Resolved,

That the same do pass.

Yeas.	Yeas.	Yeas.	Nays.
Mr. Combs,	Col. Ford,	Mr. Gibbon,	Mr. Lawrence,
Mr. Wetherill,	Mr. Winds,	Mr. Holme,	Mr. Crane,
Mr. Taylor,	Mr. Kinsey,	Mr. Hand,	Mr. Garritse,
Mr. Fisher,	Mr. Paxson,	Mr. Eldridge,	Mr. Hinchman,
Mr. Roy,	Mr. Sykes,	Mr. Mehelm,	Mr. Tucker,
Mr. Demarest,	Mr. Price,	Mr. Sheppard,	Mr. Van Horne,
		Mr. Elmer.	Mr. Pettit.

Ordered,

That Mr. Sheppard and Mr. Mehelm do carry the said Bill to the Council for Concurrence.

The House adjourned till Nine o'Clock To-morrow Morning.

Friday,

Friday, February 11, 1774.

The House met.

Mr. *Sheppard* reported, that Mr. *Mebelm* and himself delivered the Bill with them intrusted to the Speaker in Council.

Mr. *Sykes* reported, that Mr. *Pettit* and himself delivered the Message of Yesterday to Mr. *Stockton*, one of the Gentlemen of the Council, the Council not then sitting.

The Bill, entitled, *An Act to make it Felony to counterfeit foreign Gold and Silver Coin, and for other Purposes therein mentioned*, was read the second Time, and committed to a Committee of the whole House :

The House accordingly resolved itself into a Committee of the whole House on the said Bill ; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported, that the Committee had made some Progress in the Matter to them referred, and desired Leave to sit again.

Ordered,

That the Committee do sit again this Afternoon.

The House adjourned till Two, P. M.

The House met.

A Petition was presented to the House from 32 reputable Freeholders and Inhabitants of the County of *Hunterdon*, setting forth, that it is with the greatest Concern the Petitioners find the Difference subsisting between the several Branches of the Legislature, on Account of the late Robbery of the Treasury, which they are informed arises from its being insisted upon by the House of Assembly, that the Governor should remove the Treasurer before Conviction ; and the Treasurer requesting a Trial by the Laws of his Country, before he is subjected to any Penalty, or the Loss of his Office ; and humbly praying that no Act may be done by Government, that will be so derogatory to the Rights of the Subject as the punishing a Man before he is found guilty by the Laws of his Country ; and that the House of Assembly may make Provision for determining, in a just and equitable Manner, that unhappy Dispute which has so long obstructed the publick Business, and greatly increased the Expence of the Province ; the same was read, and ordered a second Reading.

According to Order, the House again resolved itself into a Committee of the whole House on the Bill for making it Felony to counterfeit foreign Gold and Silver Coin ; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported, that the Committee had made some further Progress in the Bill, and desired Leave to sit again.

Ordered,

That the said Committee do sit again.

The House adjourned till Nine o'Clock To-morrow Morning.

Saturday,

Saturday, February 12, 1774.

The House met.

The Bill, entitled, *An Act to prevent Dogs from killing Sheep within the Township of Deptford, in the County of Gloucester, and for other Purposes therein mentioned*, was read the second Time, amended in the House, and upon the Question agreed to, and ordered to be engrossed.

A Petition was presented to the House from *John Ruth*, Prisoner in *Burlington County Gaol*, setting forth the Particulars of his Case, and praying such Relief as the Legislature, in their Wisdom, shall think meet; the same was read, and ordered a second Reading.

The House, according to Order, again resolved itself into a Committee of the whole House on the Bill for making it Felony to counterfeit foreign Gold and Silver Coin; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported, that the Committee had gone through the Bill, and had made sundry Amendments thereto, and had altered the Title, the Bill being now called, *An Act more effectually to punish the Counterfeiters of foreign Gold or Silver Coin, current within the Colony of New-Jersey, and the Utters thereof, knowing the same to be counterfeit*; which Bill and Amendments Mr. *Fisher* by Order of the House reported; and the same being read, on the Question, whether the Bill as amended be engrossed or not? It was carried in the Affirmative:

Yeas.	Yeas.	Nays.	Nays.
Mr. Combs,	Col. Ford,	Mr. Lawrence,	Mr. Hinchman,
Mr. Wetherill,	Mr. Holme,	Mr. Crane,	Mr. Price,
Mr. Moores,	Mr. Hand,	Mr. Winds,	Mr. Gibbon,
Mr. Taylor,	Mr. Eldridge,	Mr. Kinsey,	Mr. Mehelm,
Mr. Garritse,	Mr. Tucker,	Mr. Paxson,	Mr. Sheppard,
Mr. Fisher,	Mr. Van Horne,	Mr. Sykes,	Mr. Elmer.
Mr. Roy,	Mr. Pettit.		
Mr. Dey,			
Mr. Demarest,			

Ordered,

That the said Bill be engrossed accordingly.

Two Petitions were presented to the House and read, signed by Sixty-two Inhabitants of the County of *Morris*, praying an Act of Assembly to oblige all Persons who have Money at Interest in this Colony to pay Taxes therefor, and that the Petitioners, and all that pay Interest for Money, may have Abatement made;

Ordered,

That the Petitions be read a second Time.

A Petition was presented to the House from *Abraham Sayre*, his Mother and Relations and others, setting forth, that the Petitioner first named has been confined in the Gaol of *Essex County* for near nine

Years, suffering there more than can be easily expressed, and praying that he may be set at Liberty to work for his Living; which Petition, together with several Papers accompanying the same, was read, and ordered a second Reading.

A Message from the Council, by Mr. Parker.

COUNCIL-CHAMBER, Feb. 12, 1774.

Ordered,

THAT Mr. Stockton, Mr. Coxe and Mr. Lawrence, or any two of them, be a Committee to join the Committee of the House of Assembly to burn the Sum of £. 461 11 8½, Salem Loan-Office Money, in the Hands of the Western Treasurer; and that the said Committees do meet for the Purpose aforesaid, at the House of the said Treasurer, on Monday Morning next, at Nine of the Clock.

Ordered,

That Mr. Parker do acquaint the House of Assembly therewith.

CHA. PETTIT, D. Clerk.

The House adjourned till Monday Morning Nine o'Clock.

Monday, February 14, 1774.

The House met.

The Petition from the Township of *Hanover*, in the County of *Morris*, praying for a Repeal of their present Road Act, was read the second Time, and referred to the next Session of General Assembly.

The Petition from *John Okle Smith*, Prisoner in *Burlington* County Gaol, praying for Release, was read the second Time;

Ordered,

That the said Petition do lie on the Table.

Mr. Tucker, from the Committee appointed to that Service, made the following Report, to which the House agreed, viz.

WE, the Committee appointed by the Council and House of Representatives, to burn the deficient Loan-Office Money of *Salem* and *Cumberland*, do report that *Samuel Smith*, Esq. Treasurer of the Western Division of this Colony, laid before Us the Sum of *Four Hundred and Sixty-one Pounds, Eleven Shillings and Eight-pence Three Farthings*, in current Bills of Credit of the Colony of *New-Jersey*, which was by Us examined and burned this Fourteenth Day of *February*, Anno Domini One Thousand Seven Hundred and Seventy-four, according to the Directions of the Act of Assembly of the Twelfth of the present King, entitled, *An Act to enforce the Payment of several old Arrears, due to the Treasury of New-Jersey*; which said Sum is charged to the said Treasurer, in the Account for Support of Government, reported to the Council and House of Representatives, *December 1, 1773*, being Part of the Sums he received of the Widow *Sharp*, Executrix of *Isaac Sharp*, deceased, *Willi-*

am

am Hancock, Executor of *William Hancock*, deceased, and *Grant Gibbon*, Administrator of *Nicholas Gibbon*, deceased; which said *Isaac Sharp*, *William Hancock*, and *Nicholas Gibbon* were severally, in their Life-Times, Commissioners of the Loan-Office for the County of *Salem*; and for which said Sum of £. 461 11 8 $\frac{1}{2}$ now burned, the said Treasurer is to be credited in his next Account for Support of Government.

RICHARD STOCKTON,
DANIEL COXE,
JOHN LAWRENCE,
SAMUEL TUCKER,
JOHN SHEPPARD,
JOHN DEMAREST,
JOHN COMBS,
JOHN MEHELM.

A Petition was presented to the House from 35 reputable Freeholders and Inhabitants of the Township of *Springfield*, in the County of *Burlington*, setting forth, that the Petitioners observe, with Concern, the Disagreement subsisting concerning the Robbery of the Eastern Treasury, and praying that the Legislature may unite as one Body in removing the Treasurer from his Office, and then that a Prosecution may be commenced against him for the Recovery of the Publick Money said to be stolen; and further praying a Law to oblige the Treasurers to give undoubted Security for the safe Keeping of the Publick Money in future; the said Petition was read, and ordered a second Reading.

A Petition was presented to the House and read, from 33 reputable Freeholders and Inhabitants of the Counties of *Hunterdon* and *Suffex*, praying that the Eastern Treasurer may not be removed from his Office, before he is found guilty by the Laws of his Country; and that the House of Assembly may make Provision for determining, in a just and equitable Manner, that unhappy Dispute which has so long obstructed the Publick Business, and greatly increased the Expence of the Province;

Ordered,

That the Petition be read a second Time.

The Petition from *Joseph Moore* of *Anrwell*, in the County of *Hunterdon*, praying Payment for repairing a certain Bridge in that Township, was read the second Time;

Ordered,

That the Petitioner have Leave to bring in a Bill at the next Session of General Assembly, provided he gives six Weeks Notice thereof in the *Pennsylvania Gazette*; and that no reasonable Objection shall then appear against the same.

Mr. *Crane*, according to Order, brought in a Bill, entitled, *An Act more effectually to prevent unlawful killing of Horses and horned Cattle in this Colony*; which was read, and ordered a second Reading.

The several Petitions from *Elijah Bond* and *Daniel Coxe*, relative to the Ferries over the River *Delaware*, in the Township of *Nottingham*, and County of *Burlington*, were read the second Time;

Ordered,

Ordered,

That the said Petitions be referred for further Consideration.

The Engrossed Bill, entitled, *An Act more effectually to punish the Counterfeiters of foreign Gold or Silver Coin, current within the Colony of New-Jersey, and the Utterers thereof, knowing the same to be counterfeit,* was read and compared; on the Question,

Resolved,

That the same do pass.

Yeas.	Yeas.	Yeas.	Nays.
Mr. Combs,	Mr. Roy,	Mr. Eldridge,	Mr. Lawrence,
Mr. Wetherill,	Mr. Dey,	Mr. Tucker,	Mr. Winds,
Mr. Moores,	Mr. Demarest,	Mr. Van Horne.	Mr. Kinsey,
Mr. Taylor,	Col. Ford,	Mr. Pettit.	Mr. Paxson,
Mr. Crane,	Mr. Hewlings,		Mr. Sykes,
Mr. Garritse,	Mr. Holme,		Mr. Gibbon,
Mr. Fisher,	Mr. Hand,		Mr. Mehelm,
			Mr. Sheppard,
			Mr. Elmer.

Ordered,

That Mr. Combs and Mr. Hewlings do carry the said Bill to the Council for Concurrence.

Ordered,

That Mr. Kinsey and Mr. Paxson do wait on the Council, and request to know how far they have proceeded on the Bill sent up from this House for their Concurrence, *for the better Regulation of Juries.*

The House adjourned till Two, P. M.

The House met.

Mr. Kinsey reported, that Mr. Paxson and himself delivered the Message of the House with them intrusted to the Speaker in Council.

Mr. Combs reported, that Mr. Hewlings and himself delivered the Bill with them intrusted to the Speaker in Council.

The Engrossed Bill, entitled, *An Act to prevent Dogs from killing Sheep within the Township of Deptford, in the County of Gloucester, and for other Purposes therein mentioned,* was read and compared; on the Question,

Resolved,

That the said Bill do pass.

Ordered,

That Mr. Hinchman and Mr. Holme do carry the said Bill to the Council for Concurrence.

A Petition was presented to the House from sundry Freeholders and others Inhabitants of the City of *Perth-Amboy*, setting forth Reasons why the Bill now before the House *for the more equitable Manumission of Slaves*, should not pass into a Law; the said Petition was read, and ordered a second Reading.

A Petition was presented to the House from 67 reputable Freeholders and Inhabitants of the County of *Monmouth*, setting forth, that the
Petitioners

Petitioners observe great Delay and unnecessary Expence in the publick Business, occasioned by the Dispute relative to the Treasury; and as they are informed the Eastern Treasurer is willing and desirous to have a fair Trial; and as the only Matter in Difference is, whether he shall first be turned out of Office and then tried, or first tried and upon Conviction be displaced—they earnestly recommend that a Trial be immediately directed, and are of Opinion, that a Removal before Conviction will look like condemning before the Man is convicted; and the Petitioners hope that all the Taxes may not be paid into the Western Treasury; the said Petition was read, and ordered a second Reading.

A MESSAGE from the Council by Mr. *Lawrence*, informing the House, that the Bill, entitled, *An Act for the better Regulation of Juries*, was, on the 17th Day of *December* last, rejected by a Majority of their House.

Mr. *Hinchman* reported, that Mr. *Holme* and himself delivered the Bill with them intrusted to the Speaker in Council.

The Bill, entitled, *An Act for the more effectual Prevention of Lotteries, Horseracing, Cockfighting and Shootingmatches, within this Colony, and to prevent the Sale of Tickets in Lotteries erected out of the Colony, and for other Purposes therein mentioned*, was read the second Time, and committed to Mr. *Fisher*, Mr. *Crane*, Mr. *Winds* and Mr. *Gibbon*.

A Message from His Excellency by Mr. D. Secretary *Pettit*.

Ordered,

That the same be read To-morrow Morning.

The House adjourned till Nine o'Clock To-morrow Morning.

Tuesday, February 15, 1774.

The House met.

A Message from the Council by Mr. *Parker*.

Ordered,

COUNCIL-CHAMBER, *Feb. 14, 1774.*

THAT Mr. *Parker* do carry to the House of Assembly, for Concurrence, the Bill, entitled, *An Act to enable sundry Persons Proprietors and Possessors of certain Lands and Meadows lying upon the Wal-kill, in the County of Suffex, commonly called and known by the Name of the Drowned Lands, to drain the same, and for other Purposes therein mentioned.*

CHA. PETTIT, D. Clerk.

Which Bill, together with certain Amendments made to the same by the Council, and sent down for the Concurrence of the House, were read; and, upon the Question, the House agreed to the Council's Amendments.

K k

Ordered,

Ordered,

That the Bill be re-engrossed with the Council's Amendments.

His Excellency's Message of Yesterday Afternoon was read, and ordered to be read a second Time; and the said Message is as follows, *viz.*

A MESSAGE to the ASSEMBLY.

GENTLEMEN,

IN Answer to the Message which you sent me a short Time before your late Adjournment, requesting me "to remove the Treasurer from his Office, in order that a Suit may be instituted against him for the Recovery of the Money" stolen from the Treasury, I am to acquaint you that I laid the same for Advice before His Majesty's Council of this Province. Their Opinion on the Subject will be best seen by the following Extract from their Minutes.

' At a Council held at *Burlington* on the 21st Day of *December* 1773,

' His Excellency was pleased to lay before the Board a Message from the House of Assembly, which was read and is in the Words following, *viz.*

" House of Assembly, *December* 21, 1773.

" Ordered, That Mr. *Mehelm* and Mr. *Taylor* do wait on His Excellency and inform him,

" That the House look on the Robbery of the Treasury to be of so much Consequence to the Colony that, consistent with the Trust reposed in them, they cannot remain silent.

" The House conceive publick Utility may render it necessary that a Person should be removed from an Office and yet that Removal cannot be deemed a Punishment. If a Person in Office should appear to be incapable of performing the Duties of it, in order to prevent any publick Detriment a Removal should take Place, and with equal Reason this Remedy ought to be applied where there appears to have been a Neglect in keeping the publick Money.

" The House know of no Action in which the Negligence of the Eastern Treasurer can be brought in Question. But they request His Excellency would be pleased to look into the Affidavits laid before the House in 1770, and they apprehend some Instances of Negligence will appear.

" In order to restore that Harmony which ought to subsist between the several Branches of the Legislature, and to quiet the general Uneasiness of the Colony, the House renew their Request that His Excellency would be pleased to remove the Treasurer from his Office, in order that a Suit may be instituted against him for the Recovery of the Money."

' And His Excellency was pleased to ask the Advice of the Council whether it would be proper to remove the Eastern Treasurer from his Office, agreeably to the Request contained in the said Message; and whether

‘ whether such Removal is necessary to the legal Institution of a Suit
 ‘ against the said Treasurer for the Money stolen out of the Treasury
 ‘ in the Year 1768.

‘ The Council having taken the same into Consideration and deliberated thereon, were unanimously of Opinion that it would not be proper for His Excellency at present to remove the said Treasurer from his Office; and that such Removal is not necessary to the legal Institution of such Suit against him.’

It appears to every Member of the Council that all the Reasons which induced them unanimously to advise against the Removal of the Treasurer at the last Session, subsist with still greater Force at the present; and I think I should be greatly wanting in my Duty if I did not act according to such Judgment as I am able to form on the best Advice I can obtain: I cannot therefore, in this Instance, comply with your Request.—But to convince you, Gentlemen, that I have not come to this Resolution, without paying due Regard to the Reasons which you have urged to the contrary; and because this Affair has a good deal excited the Attention of the Publick, who think it a Matter of great Consequence, I shall not only give you such Remarks as have occurred to me on the Arguments contained in your Message, but also on those in the two Reports of your Committees on the Subject, and on some others which, I understand, have been advanced among the Members of your House, and are supposed to be Arguments of Weight in this Affair.

I can readily “conceive (with you) that the publick Utility may render it necessary that a Person should be removed from an Office,” tho’ I am not so happy as to be of your Opinion that a Removal, particularly in the two Instances you mention, “cannot be deemed a Punishment.” In the first, I think the Person would by that Means be properly punished for his Ignorance, or Presumption in undertaking an Office which he was incapable of executing; and, in the second, for his Negligence.—It is not pretended that the former Case will at all apply to the present Treasurer; and as to the latter, you have at last candidly acknowledged in your Message that “the House know of no Action in which the Negligence of the Eastern Treasurer can be brought in Question.” It is true, you afterwards “request that I would look into the Affidavits laid before the House in 1770,” and say, that you “apprehend some Instances of Negligence will appear.” But as you have not thought proper to point out the particular Instances you allude to, nor even to say positively that they are to be found in those Affidavits, I am at a loss to know on what you have grounded such Apprehension: And if you had even pointed out those Parts on which you rely, I submit it to your Consideration, how far it would be proper for me at this Time to determine whether or not they contain any Instances of Negligence in the Treasurer, when I have so lately been censured by your House for only declaring, in general Terms, that I thought some other Affidavits, corroborated by many striking Circumstances, had brought the Affair of the Robbery of the Treasury to Light. But I cannot help saying, that it seems rather extraordinary, that the same House, who judged me blameable for so much as intimating,

ing, before Trial and Conviction, that I thought a certain notorious Villain, who had fled from Justice, guilty of a Crime laid to his Charge, can yet desire me (without any previous Trial, or hearing what can be said in his Behalf) to proceed even to the inflicting a Punishment on a Gentleman whose Character has hitherto been unimpeached, and who has repeatedly solicited to have the Matter now alledged against him tried by a Jury of his Country.

I have, however, Gentlemen, as you requested, "looked into the Affidavits laid before the House in 1770," and I have likewise looked into all the Proceedings of that Assembly in consequence of them. But if that House, who, as you told me in your Message of the 18th of September 1772, made "a full, fair and impartial Inquiry into the Situation and Manner the Treasury was kept, with all the Evidences and Circumstances that could be procured to give Light into that Matter," did *not* think proper to charge the Treasurer with Negligence, with what Face of Reason can you expect me to do it? You have, indeed, asserted in the same Message that that House "was fully convinced of his Remissness,"—that they came "to a Resolution that the Money was lost through his Negligence, and that their Resolution ought to be admitted as a *satisfactory Proof*." Whether you were warranted in this Assertion and Opinion, will best appear by quoting the very Words of the Resolves, as they stand on their Minutes.

The first Resolve was in November 1769, which, after a Preamble setting forth "That the Deposition of the said Treasurer, *proving* the said Robbery, had been read, as likewise many other Affidavits *corroborating* therewith, and tending to confirm the said Robbery," &c. concludes thus, "That through the Course of the Examination not any thing had appeared to impeach the Conduct or Character of the said Treasurer."—The next Resolves were in October 1770, in these Words, "Resolved, That it is the *Opinion* of this Committee [i. e. a Committee of the whole House] that the Robbery of the Eastern Treasury, of the Sum of £. 6570 9 4, which happened in the Night of the 21st of July 1768, was for *Want of that Security and Care that was necessary to keep it in Safety*. To which the House agreed.—The House taking into Consideration the Eastern Treasurer's Accounts, reported 22d November 1769, wherein he prays an Allowance of the Sum of £. 6570 9 4, stolen from the Treasury 21st of July 1768, On the Question, *Resolved, Nem. Con.* That it is the *Opinion* of this House, the said Treasurer ought not to be allowed the said Sum of £. 6570 9 4."

These three Resolves, I believe, are all which that House thought proper to enter into on the Occasion. The first is very far from containing any Accusation. The second (on which you seem to have founded your Assertion) contains no Charge against any particular Person whatever. The Assembly do, indeed, resolve that in their *Opinion* the Money was stolen "for Want of that Security and Care that was necessary to keep it in Safety." But, so far is this Resolve from fixing the Blame of that "Want of Security and Care" upon the Treasurer, that, if it be compared with the former Resolve of the same

Assembly

Assembly in 1769, the Sense of the House would rather appear to have been, that the Money was lost, not through any Negligence of the *Treasurer* (of whom they had declared that "through the Course of the Examination not any Thing had appeared to impeach his Conduct or Character") but through an Oversight or want of Attention in the *Legislature*, in not having provided sufficient Means of Security, nor given such Directions, with Regard to the proper Care to be taken of the Money, as were necessary to keep it in Safety. And that this Construction of the Resolve in question is in itself both just and reasonable, may be argued from the Practice of Parliament in a similar Case. It appears by a Statute, passed in the 2d of *Geo. II.* that the Exchequer was robbed of a large Sum, "notwithstanding (as the Act says) all due Care was taken for Security of the said Cash, according to the Directions of the Act made in the eighth and ninth Years of the Reign of the late King William the third, and there was not any Neglect or Default in the Teller, or in any of the Officers or Servants entrusted or employed by or under him."—Now here it is observable that an Act of Parliament had been thought necessary to direct the Officers of the Exchequer, in what Manner and by what Means due Care should be taken for the Security of the publick Money. I presume it will not be denied that a similar Act of Assembly in this Colony for the same Purpose would be (and must always have been) highly proper and expedient, and therefore it appears nowise unreasonable to suppose the late Assembly to have alluded to the Want of such a Law in the above-mentioned Resolve. View it in any other Light and you will see that it carries with it an Air of too much Absurdity. To say that a Thing was stolen for Want of the Security that was necessary to keep it in Security is only saying what may as properly be said of any other Robbery that ever was or can be committed. It is, to be sure, a very self-evident Proposition, but it must at the same Time be allowed that if the Assembly meant no more than what a literal Construction of the Words import, they might as well have kept their Opinion to themselves.

You see, therefore, Gentlemen, there was no just Foundation for your asserting that the late Assembly came to a Resolution "that the Money was lost through the *Treasurer's* Negligence." And as you, when you first took this Matter into Consideration, declared, that you took it up entirely "upon the Resolution of the late Assembly, who had fully inquired into it, and on that Inquiry had come to a Determination, and that as no new Evidence was suggested to induce you to enter into a Rehearing thereof, it was not proper for you so to do," I hope you will think that as no new Evidence has ever been suggested to me, tending to prove Negligence in the *Treasurer*, I ought, as well as the late Assembly, to be cautious in saying any thing that may charge him with it; and that the same Reasons which induced them, after all their Inquiries, not to think it just to request his Removal, or even to have him called to account for any supposed Negligence, but on the contrary to vote him a Salary from Year to Year, will be sufficient to justify me in suffering him to continue in Office till the Matter has received

that legal Decision which he has so often solicited. How it has happened that you, who professed going altogether on the Determination of the late Assembly, and gave for a Reason that there was no *new Evidence* to induce you to proceed otherwise, should nevertheless act so directly contrary to what they had done, and speak of the Treasurer as being actually *guilty* of *Negligence*, as you did repeatedly in your Messages at the last Session, I shall not now undertake to explain: Nor shall I attempt to account for the Alteration in your Language at this Session, when you declare that you “know of no Action in which the *Negligence* of the *Treasurer* can be called in Question,” and only venture to say that you “*apprehend* some Instances of Negligence will appear.”

It is proper, however, Gentlemen, that I should here take Notice of an Intimation which has been given me, that you may possibly mean by the Word “*Action*” a *Suit at Law*; but there are so many Objections to be made to that Supposition, that I cannot but think it highly improbable that such is your Meaning. You surely could not have been either so impolitic or so ignorant of the Law, as to intimate that the Treasurer, or any other Officer of Government, cannot be called in question for Negligence in Office, especially when that Negligence is attended with Damage or Injury to the Crown or any Individuals. But what puts it beyond dispute that such could not have been your Intention, is your own Declaration in a former Message, wherein you say, in express Terms, that you “do not entertain a *Doubt* but that this “Negligence laid to his Charge can be *properly tried* in this Colony.”

The only Reasons which you urge in your Message for the immediate Removal of the Treasurer are, *That Harmony may be restored between the several Branches of the Legislature—that the general Uneasiness of the Colony may be quieted—and that a Suit may be instituted against the Treasurer for the Recovery of the Money.*

There is no Man, I am sure, who can more delight in Harmony, or who would more zealously promote it than myself. It has ever been my Opinion, that it ought to be always particularly cultivated between the several Branches of the Legislature; for it seldom happens, when a Difference subsists between them, but that the Country suffers, let which will have the Advantage in Point of Argument. There is, however, no preventing Men from sometimes differing in their Sentiments about publick as well as private Matters. Some think it best on the whole that it should be so, as from a Collision of Opinions the Light of Truth is often brought forth. Be that as it will, it has been the unvarying Rule of my Conduct, since I have been honoured with the Administration in this Colony, to avoid, as much as was in my Power, every Occasion of Dispute; and though I have at Times differed in Sentiment from the Assembly concerning publick Transactions, yet I have been silent in all Cases where I thought I could be so consistently with my Duty to the King, to the People, or to my own Character. In the present Case, it is nothing but my Sense of that Duty which actuates my Conduct. For though much Pains have been taken to have it understood that it is from Motives of Friendship or Regard to the Treasurer, that

that I do not comply with your Request, I can safely call God to Witness, that I have not, as I told you before, any Attachments which can come in Competition with my Duty; nor do I know any thing that I should have in greater Abhorrence than for a Man in my Station to suffer himself to be influenced in his publick Conduct by either private Affection or Repentment. My publick Conduct may at Times be wrong through Mistake, but never through Design. I pretend not to Infallibility, but I do to Principle, from which not all the Entreaties of Friends nor Threats of Enemies shall ever make me deviate.

The Motives of my Conduct on this Occasion will fully appear from some of my former Messages. It is my Duty to see that Justice be done to all the King's Subjects in this Colony without Distinction. If you should succeed in having an Officer removed on an Allegation that he has been guilty of some Negligence or Default in his Office, before that he has an Opportunity of being heard in his Defence, altho' he even requests that the Matter should receive a just and legal Decision, I see not what is to prevent you from aiming at the Removal of every other Officer in the Government in the same Manner. Whenever any one of them may happen to displease or become disagreeable to a Majority of the Assembly, or to those who can influence a Majority, there will never be wanting a Pretence for insisting on his Removal, and threatening (as in the present Case) to withhold the necessary Supplies unless Government will comply with their Request. This would be establishing a Precedent which might hereafter be attended with far worse Consequences to the Community than the Loss of many Times the Sum robbed from the Treasury. No Gentleman of Sense and Spirit would be likely to accept of any Office subject to so uncertain and disgraceful a Tenure.

As to the Uneasiness of the People, I do not wonder at it. I know that great Industry has been used to make them dissatisfied. Unjust Representations, artful Insinuations, nay direct Falsehoods have not been wanting. A Flame has been kindled which some Persons think it their Interest to keep up. Before it subsides, however, it may afford a Light to shew them in their true Colours. It is in vain to hope to intimidate me by holding up the Displeasure of the People. My Ambition is not so much to please as to serve them, and whoever only aims at the one, will generally fail in the other. They often make erroneous Judgments for want of proper Information. I am sorry any Part of your Conduct should betray an Inclination to withhold any Materials of that kind from them, especially in a Matter of such publick Concern, and in which they are so nearly interested. I mean your Resolve of the 20th of *December* on finding that the Treasurer's two last Memorials, tho' so short, were inserted at large on your Minutes. *Straws and Feathers* (says some Writer) *are light Things, but they serve to shew which way the Wind blows.*

If a Suit at Law could not be properly instituted against the Treasurer for the Recovery of the Money, without a previous Removal or Resignation, as you profess to believe, I should not make the least Objection to your Request. But every Tyro in the Law must know better,
and

and it is astonishing that Men who do not want understanding could ever form such an Idea, even though they may not have made that Profession their Study.—The only Reasons which I can find on your Minutes for this strange Opinion are,

1st. “*That you apprehend his Removal previous to such Suit is necessary, as you cannot see with what Propriety one can be brought for the Sum said to be lost, and which he contends he is not liable to the Payment of, until what he admits to be in his Hands belonging to the Province is removed where the People have more Confidence to place it.*”

To illustrate this Position, let us suppose that a Steward, who is intrusted with the receiving and paying of Money, should alledge that he has lost or been robbed of a Part of it, and contend that it ought to be allowed in his Accounts, but that, however, he is willing and desirous to have the Matter determined by an amicable Suit at Law. If your Opinion is right, it is *necessary*, before his Employer can agree to such a Suit, that he remove his Steward, and place the Remainder of the Money in other Hands.—If this is Law, it is much to be lamented that Law should be so repugnant to *Common Sense*!—But if we should likewise suppose that the Robbery of the Treasury, attended with all the same Circumstances, had happened in the Western instead of the Eastern Division, what then must have been the Consequence? For the *Western* Treasurer, it seems, holds his Office during *good Behaviour*, and has therefore by Law a Freehold in it, of which he cannot be divested but by some legal Process. Will you say that, in this Case, he cannot “*with Propriety*” have a Suit brought against him for the Recovery of any Deficiency in the Treasury, unless he condescends to a *previous Resignation*? You have virtually said it, and it must be so if your Position is right. How thankful ought the Publick to be then that he is so honest a Man! Were he otherwise, he might, if he knew no better, rely on the Authority of your Opinion, and think himself safe in any Misapplication of the publick Money. If any one should tell him that he may be removed from his Office on Conviction of his Misbehaviour and then be obliged to pay the Money, he may readily answer, “The Constitution requires that such Conviction should be by a Suit at Law, and, according to the new Doctrine, it is “*necessary*,” in order to institute such Suit that I should be previously *removed* from my Office, which no one has a Right to take from me, or that I should resign, which I do not chuse to do.”

To intimate that the People have not sufficient Confidence in the Treasurer to place the publick Money in his Custody, when you well know that it must be only such of them as are unacquainted with the present Situation of the Treasury, has not that Appearance of Fairness and Candour which I could wish to see in their Representatives. The Minutes of the last Assembly will shew, that both of the Treasurers did, in 1769, the Year after the Robbery, enter into Bonds with such Sureties as were deemed sufficient, to the same Amount, and on the like Conditions as were proposed by that Assembly; which Bonds were deposited among the Records in the Secretary's Office, where they still remain. You likewise know that I have repeatedly declared, that if you have any
Doubts

Doubts of the Validity, or Sufficiency of those Bonds, I am very willing to consent to a Bill for obliging the Treasurers to give such farther Security as shall be thought reasonable. So that there can be no Necessity for the People to be under any Concern for the Safety of any Money which can come into the Eastern Treasurer's Hands while the Suit is depending; for, if you really think there is any Danger that the Province may sustain any Loss hereafter, through his Means, for Want of sufficient Bonds or Security, you may easily prevent it by passing such a Bill as I have mentioned.

2. The second Reason is, That "*it seems absurd to sue a Person for a Sum of Money who in case of a Recovery on that Suit is the Person by Virtue of his Office entitled to receive the Sum so recovered.*"

All this seeming Absurdity is, however, Gentlemen, entirely of your own creating. For if the Suit should go against him, and it should be finally determined that he is answerable for the Sum stolen, he will not have the Money to *receive* but to *pay*. He will be obliged to pay Orders to that Amount, when drawn on him, just as if the Money had remained always in the Treasury. This is the only Light in which it can be properly considered, and, indeed, is the very Light in which it appears on your Minutes of the last Session. In the first Article of the Account you then settled with him, he is made Debtor

" To Balance of Account settled by the Committee

" *October 22, 1770, including the Sum £. 6570:9:4,*

" *stolen from the Treasury 21st July 1768, —£. 10,072:9:10½*

Now the Dispute between you and him is, whether he shall pay the Orders of Government to the whole Amount of the Sum with which he is charged in this Settlement, or be allowed to deduct, or credit his Account for, the Sum stolen.

3. *If such Trial was had and Judgment obtained against the Treasurer, an Execution cannot be issued to secure the Monies, until his Resignation, or Removal.*

This Reason is in Substance so similar to the foregoing, that the same Answer may nearly serve for both. There will be no Occasion to issue any Execution to secure the Monies. The Suit is proposed to be an amicable one, and the Treasurer has offered to give Security to abide by the Consequences; which, if against him, he will no longer object to his being charged with the Sum stolen as so much Money actually in the Treasury.

But what entirely removes this and the former Objection is, the Treasurer's Engagement in his Memorial of the 18th of *December* last, that "should the Verdict of his Country be against him he will, without Delay, resign his Office." On this Engagement you have thought proper to declare, that you "do not apprehend the Publick should bring such Suit and *confide* in the *Promise* he is pleased to make to resign on Condition a Verdict should be had against him." It is not my Purpose to vindicate the Treasurer's Character, or in anywise to be an Advocate for him. All my Aim is that he may have that Chance for impartial Justice which every Man is entitled to by the Laws of his

Country. I cannot, however, help expressing my Concern that you should so unkindly (to say no worse) declare that you think the Publick ought not to CONFIDE in his PROMISE, though that Promise is given under his Hand, and delivered to your House to be published to the World on your Minutes. If any Part of his Conduct has authorised you to form such Sentiments of him, and to cast such a publick Stigma on his Character, it is well; if not, the ill-timed cruel Reflection will certainly do you no Credit. Such an Engagement must ever be held sacred by Men of Honour: And you might have depended that if he should afterwards have attempted to evade the Performance of it, he would have been removed without any Hesitation.

Equally unkind and unwarranted appears the Doubt which you intimate “if the Treasurer is *really* desirous of such Trial.” I am at a Loss to imagine what stronger Proof he could have given of the Sincerity of his Intentions than by repeatedly “entreating that the House “ would direct a Suit to be brought against him—declaring that he will “ appear, put in Bail or enter into Recognizance as shall be required— “ offering to give every reasonable Security to abide the Consequences of “ a Trial—and promising that should the Verdict of his Country be “ against him, he will, without Delay, resign his Office.” He has offered, besides, “ if a Trial at Law should not be approved of, to submit “ to any other legal or equitable Mode of finally determining the Matter.” And all the Favour, or rather Justice, he asks is, “ That the “ House will not do any Act by which he may be put in a worse State “ than every Man ought to be in such a Situation—that he may not be “ removed from his Office before Trial, as he apprehends that such “ Removal will, in its Consequences, affect the Cause, and may induce an unjust Bias against him—but that every Measure may be taken to obtain a fair and impartial Decision.” This, Gentlemen, you know to be the Language of all his Memorials, and if you do not think his Request is just and reasonable, then must I believe your Ideas of Reason and Justice to be greatly different from those of the Rest of Mankind.

But, say you, “ if he is really desirous of a Trial, he ought to convince the House, by his Resignation, of such his Intentions.” How his *Resignation* could be thought a *Conviction* of the *Sincerity* of his Request I should have been at a loss to conceive, had it not been for what is said afterwards, by which it appears to be the Opinion of the House that “ no Suit at Law will answer any *good Purpose* without a *previous* “ Resignation, and that such Resignation, or Removal, is *necessary* “ in order that a Suit may be instituted against him for the Recovery “ of the Money.” Was this really the Case, Gentlemen, you would find no Man more heartily inclined to gratify your Inclinations in this Respect than myself. I should think such Necessity a sufficient Justification for your Conduct. A Regard to the Publick should not give way to a Regard for an Individual. But there is no one Thing in which I am clearer, than that strict Justice may be done to both in the present Instance, without having Recourse to any Measure, which may even appear harsh or unreasonable. If any Gentlemen of Character who are versed in the Practice of the Law, and not concerned

in this Dispute, will declare under their Hands that such a Suit cannot "*with Propriety*" be instituted without a *previous Resignation* or *Removal*, or that either of them is any way "necessary" for the Purpose, I will immediately give up the Point and comply with your Request. Depend upon it, Gentlemen, you will ultimately find that you have been deceived in this Matter, either through Inattention, Misapprehension, or some other Cause which Time may, perhaps, discover.

To obviate the principal Objection made by the Treasurer to his being previously removed from his Office, you have given it as your Opinion "that so far from prejudicing him on his Trial, his Resignation" would have the greatest Tendency to remove any Prejudices which "the People may have already imbibed, as it would shew a Disposition" in the Treasurer really to give the People of the Colony an Opportunity to obtain a Trial on Terms which may, consistent with the publick Welfare, be complied with." I know not, as I remarked before, how he could more fully have manifested such a Disposition than he has done. Whether his *Resignation* would have the Effect you mention, I do not pretend to be a competent Judge. There can be no Doubt, however, but the Consequences of a *Removal* would be different. All I have to say on this Point is, that if his Sentiments concur with yours they will meet with no Opposition on my Part.

But we will suppose, Gentlemen, that he may absolutely refuse to resign his Office, and that I may persevere in refusing to remove him till after a Trial is had: Add to this Supposition, if you will, that by such Refusal we are both highly blameable. Will that, however, be any Excuse for your Conduct? Is it not your Duty to do the Publick all the Service in your Power, though you may not be able to do it all you desire? Have you not said, that "*admitting* the Money to be *stolen*," "you look upon the Treasurer to be *liable* to the *Payment* of it at *Law*?" Take this for granted. Should you not then, if you think the Publick ought likewise in *Justice* to be paid that Money by the Treasurer, to have Recourse to the Law in the best Manner you can, tho' you may not think it quite so eligible as some other Method?

This brings me to consider more particularly the several Modes that have been mentioned respecting the Institution of a Law Suit for this Purpose, and the Objections that have been made to them. A Matter which I the more readily undertake, as you have intimated that "you" should have been glad to have found that I had discovered a Mode "for effecting the Settlement of this desirable Point, and mentioned it" "to the House in my Speech—that I have, no doubt, bestowed some" "Thoughts on this Subject—and, perhaps, may be prepared to point" "out to the House some Mode of Proceeding."

It may not be amiss, however, in the first Place, to recapitulate some of the Transactions of the *last* Session relative to this Point. A Resolve passed in the House, that a Message be presented to the Governor "requesting that he would *join* with the Assembly in some Methods, or" "set on Foot *some Prosecution* to bring the Treasurer to account for," "and to pay to the Colony the Sum said to be stolen," &c. But for some Reason or other, the House in the Message confined themselves to
the

the first Part of the Request, and only desired I would “join with them
 “ in proper Measures to effect this desirable Purpose.” To this I answered
 “ that it was “ a Matter of much Consequence to the Colony, and
 “ ought to receive a just and final Decision, and the House might rely
 “ that whenever they pointed out to me such proper Measures for ef-
 “ fecting this desirable Purpose, as I could with Propriety join in, my
 “ Assistance should not be wanting.” In their next Message they pro-
 “ posed that I should “ remove the Treasurer from his Office—appoint
 “ another in his Place—and join in a Law to authorise the new Treasurer
 “ to commence a Suit against the present Treasurer for the Deficiency--
 “ or, if I should disapprove of this Measure, that I would be pleased to
 “ point out some more eligible Methods to obtain this desirable End.”
 Upon receiving this Message I laid it before the Council and consult-
 ed them respecting the Measure proposed. It appeared to us that there
 could be no Necessity for passing a new Law for trying a Matter of that
 kind, that the Laws in being were quite sufficient, and that filing an
Information was the proper Mode, and would effectually answer the
 Purpose. However, it being suggested that it would be best to have a
 Conference between a Committee of the Council and a Committee of
 the Assembly on the Subject, I recommended that Expedient to the As-
 sembly, and a Conference accordingly took Place. In another Message
 I acquainted the House that “ the Treasurer had signified to me his
 “ Willingness to submit the Matter to any reasonable Mode of Decisi-
 “ on, and that I should be happy if the Committees agreed upon one
 “ that would be the least liable to do Injustice to either Party—that he
 “ requested he might not be removed until the Affair in dispute were
 “ decided, as such Removal could not fail to bias the Minds of Men
 “ already too much prejudiced by the Reports which had been circu-
 “ lated to his Disadvantage.” I likewise mentioned an Instance in
 King *William’s* Time, where it had been determined that an Officer,
 on a like Occasion, should not be censured or removed until Judgment
 was given against him.—The Result of the Conference will appear from
 the Reports of the respective Committees, which, for a Reason that
 will be discovered hereafter, I choose to give at large. That made to
 the Assembly is in these Words, *viz.*

“ We, the Committee appointed by the House of Assembly to con-
 “ fer with the Honourable Committee of the Council on the Matter re-
 “ commended in the Governor’s Message of the 18th Instant, beg
 “ Leave to Report, that your Committee met the aforesaid Committee
 “ of the Council on the 22d Instant, when the Committee of the Coun-
 “ cil proposed,

“ That an *Information* would answer the Purpose of calling the Trea-
 “ surer to account for the Deficiency of publick Money said to be sto-
 “ len out of the Treasury.

“ That your Committee entered into some Conversation on the Sub-
 “ ject Matter of the Proposal, and being of Opinion, that in all Pro-
 “ bability Difficulties would ensue in such Mode of Prosecution, and
 “ that at best the Method was not so eligible as the one determined on in
 “ the House, and expressed in their Message to the Governor on this
 “ Subject,

“ Subject, could not then come to any final Conclusion thereon—but
 “ beg Leave to sit again if necessary.”

The Report to the Council is as follows, *viz.*

“ We the Subscribers, being the Committee appointed to meet a
 “ Committee of the House of Assembly in a free Conference on the Sub-
 “ ject of the Governor’s Message relative to the Robbery of the Eastern
 “ Treasury, do Report, That your Committee met the said Committee
 “ of the House of Assembly on *Tuesday* the 22d Day of *September* 1772,
 “ at the House of *William Wright* in *Perth-Amboy*, and your Committee
 “ having opened the said Conference, did proceed to state the Mode
 “ which this House had previously agreed upon as the most proper and
 “ convenient to bring the Eastern Treasurer to a legal Trial, by filing
 “ an Information against him, pursuant to an Order of the Governor
 “ and Council thereupon to be obtained; and after your Committee
 “ had stated the said Mode of Trial by Information, they proceed to
 “ observe that if such Mode by Information should be judged improper,
 “ your Committee had no Objection to attend to any other Mode
 “ which should be proposed and esteemed less exceptionable. That on
 “ the Part of the Committee of the House of Assembly, not only fun-
 “ dry Objections were made to the Mode of Prosecution by Information;
 “ but they also informed your Committee that they could proceed no
 “ further in the Conference, either by accepting of the Mode of Pro-
 “ secution which had been proposed by your Committee, or by offer-
 “ ing any other to the Consideration of your Committee which they
 “ (the Committee of Assembly) might think less exceptionable, unless
 “ the said Treasurer should be previously removed from his Office. And
 “ your Committee having informed the said Committee of Assembly
 “ that they (your Committee) had received no Authority from this
 “ House respecting that Matter, and that therefore they could not enter
 “ upon the Consideration thereof, the said Conference thereupon broke
 “ up.

“ STIRLING,
 “ JOHN STEVENS,
 “ RICHARD STOCKTON,
 “ DANIEL COXE.”

The Assembly, it seems, did not think it necessary that their Com-
 mittee should again meet the Committee of Council on the Subject,
 and three Days after the Conference, informed me in a Message that
 “ they could take *no Part* in *such Prosecution*, and should not look up-
 “ on themselves as answerable for the Consequences.” In my Answer
 to this Message, I told them, That whatever Mode the Committees
 could agree upon and the two Houses would recommend to me, I had
 been and still was ready to adopt—that the House had, indeed, ap-
 pointed a Committee, but, instead of meeting to *confer freely*, and de-
 termine on the *Mode* which should appear *least liable* to Exceptions, that
 Committee had declared themselves bound by the Sentiments of the
 House with Respect to the *previous* Removal of the Treasurer, and, in

a Manner, made that Removal the *sine qua non* of any Consideration about the Mode of instituting a Suit against him—and that, in short, if the Determination of the House were not implicitly complied with, they seem'd to be very indifferent whether the Treasurer were called to an Account or not.—To this, I added, “I have, Gentlemen, as I told you before, applied to His Majesty’s Council for their Advice on the Occasion, and they are unanimously of Opinion that it is not proper that the Treasurer should at present be removed. The Treasurer, however, has pressingly solicited that this Session may not be suffered to pass over without some Mode settled for trying the Matter in Dispute. But you must be convinced that if you are determined, as you tell me, to *take no Part in such Prosecution*, it will not be in my Power to carry on any kind of Suit for this Purpose to Effect. If you do not grant Money to defray the Expence of seeing Lawyers, you must be sensible that none of them can be expected to give themselves any Concern in the Matter. To require it of the Attorney-General would, considering his near Connection, be unreasonable. I therefore now tell you that I will appoint any Lawyers to that necessary Service whom you shall recommend to me, and that if you do not provide for the Expences of carrying on the Suit before you rise, I shall be under a Necessity of letting the Affair remain in the same unsettled State it is at present; for which, if any ill Consequences should arise to the Publick, it cannot be reasonable that I should incur any Censure.”—To this the House, on the Question, resolved that they would return no Answer, and immediately requested a Dismission, which was granted.

Thus, I think, it appears evidently, Gentlemen, that nothing was wanting on my Part to have had this Matter legally determined during the last Year; and, in all Probability, had you complied with my Offer of appointing any Lawyers you should recommend to me for assisting the Attorney-General in conducting the Suit, and granted Money for the Purpose, the whole Matter might have been legally settled before the Commencement of the present Session.

The Attorney-General, it is true, might have been directed by Government to file an Information and carry on the Prosecution alone; but had the Suit been determined in the Treasurer’s Favour, there is no Doubt but many Persons would have exclaimed that the Publick had not a fair Chance—that the Prosecution was only carried on by his Brother—and that the Governor ought to have employed other Council. It would have been in vain to reply That the Attorney-General did his Duty to the utmost without Favour or Affection—that there was no publick Money which could be appropriated to the Feeing of other Council—and that it was unreasonable to expect the Governor to advance it out of his own Pocket.

The Objections which I had to the only Mode proposed by the Assembly for settling this Affair, were,

1st. That there could be no Justice in removing a Man from an Office for having met with a Misfortune.

2. That it was not proper for me to take for granted that he had been
guilty

guilty of any *Negligence* or *Default*, when he not only denied it, but had given many Reasons to shew the contrary in his Memorial of the 9th of *September* 1772, and repeatedly requested that no Judgment might be formed of his Conduct until he had had that Trial which he was entitled to by the Laws of his Country.

3d. That there was no Doubt in the Mind of any Man acquainted with the Prejudices which then subsisted, but that a previous Removal would have induced such an unjust Bias against him as he apprehended.

4th. That there was no Pretence for punishing him with a Dismission from his Office, unless it were *taken for granted* that he was guilty of *Negligence*; and that it would be particularly hard and unreasonable to take for granted a Matter by which he must not only suffer the Loss of his Office, but be deprived of all Hopes of having any Consideration paid by the Legislature to his Misfortune, in case it should be afterwards adjudged that according to the strict Rules of Law he was liable to pay the Money. To explain myself on this Head, I will suppose, for Argument Sake, that the Position laid down by the Assembly is right, namely, *that admitting the Money to be stolen, the Treasurer is nevertheless liable to the Payment of it at Law*. But then, I apprehend even in that Case he has a Right to expect the Legislature will exempt him from the Payment of the Money unless some *Negligence* or *Default* shall be *proved* against him. This was done by the Parliament in the Case of Lord Powlett, one of the Tellers of the Exchequer, as appears by the Statute before mentioned, which, after reciting that all due Care was taken for Security of the Cash stolen, according to the *Directions* of an *Act* formerly made for that Purpose, and that there was not any *Neglect* or *Default* in the said Teller, &c. declares that "it is *just* and *reasonable* to make Provision for making good the said Loss, and to declare the *Indemnity* and *Discharge* of the said Teller in Respect thereof"---and they accordingly did indemnify him from all Demands on that Account. In this they acted entirely conformable to a fundamental Principle of the *English* Constitution, and to those well known Maxims in the Law, *Nemo punitur sine Injuria, facto, seu Defalto*.---*Actus Legis nemini est damnosus*. And, unless *Reason* and *Justice* in *America* are different from what is *just* and *reasonable* in *England*, the same ought to be done in the like Case in this Colony, and the rather as there have never been any *Directions* given by the Legislature here respecting the Manner of keeping the publick Money.---Hence it must be allowed by every candid Person, that *Negligence* was a Fault of too much Consequence, in this Case, to be wantonly imputed to the Treasurer, and that, as he was always ready to have that Matter determined by a due Course of Law, there was the more Reason for Government to be cautious in doing an *Act* which could not fail of being construed to his Disadvantage.

5th. That there was no Necessity for the Government to do any thing that was either really or seemingly unjust in order to obtain Justice on this Occasion; as the Province either did not, or needed not run any Risk of losing the Money which remained, or might afterwards come
into

into the Treasury—the Treasurer having (as I observed before) already given Security, and I was always willing, if that should not be thought sufficient, to consent to a Law obliging him to give whatever Security should be judged reasonable.

6th. It was absurd and improper for Government to have Recourse to a new Law for doing that which the Constitution had already provided a Means of doing. Besides a new Law merely to authorise the new Treasurer to sue the former one, which was all that was proposed by your House, would not remove the principal Objection to a Suit of this Nature in this Province, namely, the *Interest* which the Judges and Jury would have in the Decision. And if the Act should have even contained a Clause exempting them from any Share of the Taxes which might be laid for making good the Deficiency in the Treasury, yet it would not in all Probability have been made to exempt all their Relations, and *could* not exempt them from their Prejudices, which at that Time were likely to give a greater Bias than a small or remote Interest. As these Obstacles could not be totally removed, nor much lessened, the proposed new Law (without answering any valuable Purpose to the Province) would, however, as it was to be attended with the Removal of the Treasurer, have been productive of far greater Disadvantage to him than could have been compensated by any Benefit which might have resulted from the Judges and Jury being exempted from their Share of the Taxes.—In common Cases, the remotest possible Interest has been deemed a sufficient Objection to both Judges and Jury; but, in a Case circumstanced like this, Necessity will over-rule such an Objection, in Behalf of the Publick, agreeably to the old Law Maxim, *Jura Publica anteferenda privatis*. But though the Treasurer is willing to wave any Plea of that kind, and to abide, as he says, “the Consequences of a Trial in the usual Way,” it might not be amiss on such an uncommon Occasion, for the Assembly to pass a Law exempting the Judges and Jury in the Manner abovementioned. It will at least look well, and be some Proof that they want nothing but strict Justice to take Place, and that too as nearly as may be to the Principles of the *English* Constitution.

I shall now proceed to consider the Mode proposed by the Council, and the Objections which have been made to it as far as they have come to my Knowledge. All that appears on your Minutes respecting it is, “that the Committee entered into some Conversation on the subject Matter of the Proposal, and were of Opinion, that in all Probability Difficulties would ensue in such Mode of Prosecution (*i. e.* by Information) and that at least the Mode was not so eligible as the one determined on in the House.” It is much to be wished that the Committee had not been quite so reserved in a Matter of such great Importance, and had favoured us with an Account of those *Difficulties* of which they appear to have been so apprehensive, and given their *Reasons* why they thought the Council’s Mode not so *eligible* as their own. But tho’ no such Reasons have been suffered to make their Appearance in the Report, yet as some of them have since otherwise transpired, and seem to be greatly relied on by those who have warmly interested themselves in the Affair, it is not proper to let them pass unnoticed. One

One Objection is, “*That an Information cannot be brought, nor will it lie, except for a criminal Matter.*”

I do not pretend to be much conversant in the Practice of the Law, but it is in the Power of any Person to satisfy himself on this Head, by only turning to *Viner's Abridgment* or a common Law Dictionary. He will there find that an *Information* is defined to be “the same for the King which for a common Person is called *Declaration*”—That “wherever a Matter concerns the *publick Government*, and no *particular Person* is entitled to an Action, there an *Information* will lie.” 1 Salk. 374.—And that, “an *Information* hath not only somewhat in it of an *Indictment* to lay down the Offence in particular, but hath the Nature of an *Action* also for the Party to demand his Due as in another Action.” *Hob.* 245. There are many other Authorities to the same Import (3 Blackf. Com. 261, &c.); but what would have put the Matter out of all kind of Doubt with me, had I ever entertained any, are the Opinions I have lately seen of two of the greatest Lawyers in *England* on this very Case, in which they both declare that “an *Information* is the proper Remedy to recover the Money.”—“By His Majesty's Prerogative (says one of them) the Attorney-General of the Province may file an *Information* for the King in *Debt*, for the King has a Right to charge in that Form any Man who, by way of simple Contract, or by any Means whatsoever of *Trust*, *Damage*, *Duty*, *Rent*, *Arrear*, &c, becomes chargeable, but there is no Point of Doubt in the Case to be determined.” They both likewise give it as their Opinion, that “the Removal of the Officer is by no Means necessary to the Institution or Prosecution of the Suit.”

Another Objection is, *That an Information cannot be brought, in this Case, in the Name or Behalf of the King, as the Money stolen did not belong to the Crown, but to the Publick, subject to be hereafter disposed of by Acts of the Legislature.*

Supposing the Money not to have been granted to the Crown by any express Words in the several Acts by which it was directed to be printed and deposited in the Treasury, and that the Crown had no particular Right in it, yet, if the foregoing Authorities are to be relied on, an *Information* will lie, and is the proper Remedy, “wherever a Matter concerns the *publick Government*, and no *particular Person* is entitled to an Action.”—The Acts themselves, however, do shew that the Money was made and granted entirely for raising Troops and other Purposes for His Majesty's Service; and the *Quota Act* (passed in the Year after the Robbery) declares that all the Money which was struck in the Colony during the last War, was “for the Use of the Crown.”

These are all the Objections which I have heard to the Mode proposed by the Council, and I cannot but believe that when they are rightly understood they will not have any Weight even with the most ignorant and credulous among the People.

Having stated the two different Methods of instituting a Suit as proposed by the Council and Assembly, with the Objections to each, and having I think fully obviated those made to the former, I shall mention another Mode which, I understand, has been deemed by some of

your House as preferable to an Information. It is alledged that *if a new Treasurer is appointed he may bring an Action against the present One for the Recovery of any Deficiency that may appear on the Settlement of his Accounts, in the same Manner as a new Overseer of the Poor, &c. may bring an Action against his Predecessor in Office.* But I apprehend this Opinion to be altogether founded on a Mistake. The new Overseer derives his Power of calling the other to account, and demanding Payment of the Monies remaining in his Hands, by a particular Act of Assembly. That there is any Act which gives a new Provincial Treasurer such Power is not, I believe, pretended; and, in his private Capacity he can have no Right to sue any one on the publick Account.

There remains now, Gentlemen, only one Matter more in either of the Reports or Message, respecting this Subject, which I have not animadverted upon, and that is an Assertion in one of the former, “that
“ though this Affair of the Robbery of the Treasury happened above
“ five Years ago, no one Branch of the Legislature *except the Assembly* (as your Committee recollect) *have ever pointed out one Method to settle the Dispute,* and thereby re-establish the Peace of the Province.” This Assertion of your Committee has received too all the Sanction which your House could give it, the Report in which it is contained having been received without any Alteration, and ordered to be inserted on your Minutes. But what will the World think when they compare this Assertion with the Reports of the two Committees before quoted at large in this Message, which both expressly mention that the Committee of Council *PROPOSED at the Conference an Information as the proper Method* of calling the Treasurer to account? And what must be their Opinion of those of the Committee who have subscribed their Names to this Assertion, and who were likewise Members of the Committee of Conference? It is in vain to plead Want of *Recollection* in a Matter so recent, which at the Time excited so much Attention, and which stands recorded on your Minutes of the last Session. If some of your Members publicly pointed out the Fallacy of this Assertion, and referred to those Minutes to prove it, before the Report was received by the House, though this may exculpate them as Individuals, it certainly does not contribute to the Justification of the House in general. I am sorry that you have put me under the Necessity, in Vindication of myself and the Council, to take Notice of a Matter of this Nature. Nor am I less concerned to observe other Misrepresentations contained in that Report, the whole Tenure of which (as I may probably think it my Duty to shew) is indeed injurious to me and His Majesty’s Council, as well as to those Magistrates and Officers of Government who had been active in taking those Affidavits and other Evidence relative to the Robbery of the Treasury, that I laid before you at the Opening of this Session. A Matter of this Kind, however, may perhaps give you very little Uneasiness. The same Committee who were able to convince you that there had yet appeared no sufficient Evidence to induce a Belief that *Ford* was concerned in the Robbery of the Treasury, may, by another happy Exertion of the same Abilities, prove, as satisfactorily, that the
above

above Assertion and the Reports of the Committees of Conference are in nowise contradictory.

On the Whole, Gentlemen, I believe there never existed a more unnecessary Dispute between a Governor and an Assembly than the present. All you profess to want is, that a Suit at Law may be instituted to determine whether or not the Treasurer shall be accountable for the Money stolen out of the Treasury; and that Care may be taken to guard against such Losses hereafter. I think these Requests highly reasonable, and am not only willing but desirous to co-operate with you in every Measure which is necessary or consistent with Justice. We differ, however, as to the Mode of accomplishing our mutual Purpose. But, surely, it cannot be expedient to sacrifice Essentials to a Dispute about Modes. The one I have adopted, by the unanimous Advice of His Majesty's Council, is entirely conformable to my own Judgment, and from which I cannot depart without deviating from the Line of my Duty. The one you have mentioned you are in no wise bound to adhere to; it is liable to several very considerable Objections; and, if it were otherwise, could not nor can any Mode else, answer the Purpose of calling the Treasurer to account better than an *Information*.

Let us then, Gentlemen, get over this disagreeable Affair, which so much interrupts the Harmony that has hitherto, in general, subsisted between me and the Assemblies of this Province, and which it is so much the Interest of the Publick should be renewed and preserved. Do you provide a Sum sufficient to defray the Charges of the Prosecution, and I will appoint or engage such Council as you have a Confidence in, to assist the Attorney-General in bringing the Action and managing the Suit on the Part of the King. The Treasurer has declared he will concede a legal Demand and Refusal of the Money, and make any other Concession that may be necessary on his Part to bring it to a fair and speedy Issue, so that probably in a few Months it may receive a just and final Decision.

February 14th, 1774.

WM. FRANKLIN.

On Motion made,

That a Message be sent to His Excellency requesting he would be pleased to favour the House with the Opinions of two of the greatest Lawyers in *England* mentioned in His Excellency's Message of the 14th Instant, which he says he has seen, and which he is pleased to think sufficient to remove all Doubts, had he entertained any, in which they both declare an *Information* to be the proper Remedy; if such Opinions he hath, and if he has not those Opinions, that he would be pleased to inform the House where they may obtain them, to enable the House seriously to consider of his said Message.

The previous Question was demanded, whether the said Question be now put or not? It was carried in the Affirmative:

Yeas.

Yeas.	Yeas.	Yeas.	Nays.
Mr. Combs,	Mr. Kinsey,	Mr. Hand,	Mr. Crane,
Mr. Wetherill,	Mr. Paxson,	Mr. Eldridge,	Mr. Garritse,
Mr. Moores,	Mr. Sykes,	Mr. Tucker,	Mr. Fisher,
Mr. Taylor,	Mr. Hinchman,	Mr. Mebelm,	Mr. Roy,
Mr. Lawrence,	Mr. Price,	Mr. Sheppard,	Mr. Demarest,
Mr. Dey,	Mr. Gibbon,	Mr. Elmer,	Col. Ford,
Mr. Winds,	Mr. Holme,	Mr. Van Horne.	Mr. Hewlings,
			Mr. Pettit.

Then the Question was put, whether a Message shall be sent pursuant to the above Motion or not? It passed in the Affirmative:

Yeas.	Yeas.	Yeas.	Nays.
Mr. Combs,	Mr. Kinsey,	Mr. Hand,	Mr. Crane,
Mr. Wetherill,	Mr. Paxson,	Mr. Eldridge,	Mr. Garritse,
Mr. Moores,	Mr. Sykes,	Mr. Tucker,	Mr. Fisher,
Mr. Taylor,	Mr. Hinchman,	Mr. Mebelm,	Mr. Roy,
Mr. Lawrence,	Mr. Price,	Mr. Sheppard,	Mr. Demarest,
Mr. Dey,	Mr. Gibbon,	Mr. Elmer,	Col. Ford,
Mr. Winds,	Mr. Holme,	Mr. Van Horne.	Mr. Hewlings,
			Mr. Pettit.

Ordered,

That Mr. Dey, Mr. Gibbon and Mr. Kinsey, be a Committee to prepare and bring in the Draught of a Message to His Excellency accordingly.

Two Petitions were presented to the House, signed by 127 reputable Freeholders and Inhabitants of the Counties of *Hunterdon* and *Suffex*, setting forth, that it is with the greatest Concern the Petitioners find the Difference subsisting between the several Branches of the Legislature on Account of the late Robbery of the Treasury, which they are informed arises from its being insisted upon by the House of Assembly, that the Governor should remove the Eastern Treasurer from his Office before Conviction, and the Treasurer requesting that he may have a Trial by the Laws of his Country before he is subjected to any Penalty, or the Loss of his Office; that the Petitioners have always thought it their greatest Happiness to live under a Constitution which protects every Subject in his Person and Property until he is justly deprived thereof by a Trial of his Peers; and praying, that no Act may be done by Government that will be of so pernicious a Consequence as the punishing a Man before he is found guilty, by the Laws of his Country; and that the House of Assembly may make Provision for the determining, in a just and equitable Manner, that unhappy Dispute which has so long obstructed the Publick Business, and greatly increased the Expence of the Province; the said Petitions were read, and ordered to be read a second Time.

The House adjourned till Three, P. M.

The House met.

Mr. Dey, from the Committee appointed for the Purpose, brought in the

the Draught of a Message to his Excellency, which was read, and agreed to by the House, and the same is as follows, viz.

Ordered,

HOUSE of ASSEMBLY, Feb. 15, 1774.

THAT Mr. *Elmer* and Mr. *Winds* do wait on his Excellency and inform him, that the House, observing that in his Message of Yesterday his Excellency was pleased to mention that he had seen the Opinions of two of the greatest Lawyers in *England*, in which they declare an Information to be the proper Remedy to recover the Money from the Eastern Treasurer, which Opinions he thinks sufficient to have removed all Doubts on that Subject, if before he had any---the House conceiving those Opinions may enable them the better to form a Judgment on the Propriety of the Measure pointed out by his Excellency in his said Message--do therefore humbly request that he would be pleased to favour them with those Opinions if he has them; or that if he has them not, that he would inform the House where those Opinions may be had, to enable them more fully to consider that Part of his Excellency's Message.

By Order of the House,

RICHARD SMITH, Clerk.

A Petition was presented to the House from sundry Freeholders and Inhabitants of the County of *Burlington*, setting forth Reasons against a Law for building a Bridge over *Affiscunk* Creek, in the City of *Burlington*; the same was read, and ordered a second Reading.

A Petition was presented to the House from 27 reputable Freeholders and others, inhabiting in and about *Trenton*, praying, that the Legislature will grant an immediate Trial to the Eastern Treasurer, as he has repeatedly prayed for; the said Petition was read, and ordered a second Reading.

Mr. *Elmer* reported, that Mr. *Winds* and himself delivered the Message of the House with them intrusted to his Excellency, who was pleased to say, that the House should hear from him.

Mr. *Kinsley* and Mr. *Skinner* desiring the House would appoint some other Person or Persons to Revise and Reprint the Laws of the Province, and informing the House that *Samuel Allinson*, Esq. was willing to undertake the same; 2 M. 2
for
to
the

Resolved,

That the said *Samuel Allinson* be appointed to that Service, and that the House of Assembly will pay to the said *Samuel Allinson* such Consideration, when the Work is completed, for his examining the Laws, inspecting the Press, forming an Index, Printing and Binding, and all extraordinary Trouble he may be put to in performing this Service, as he shall make appear to the House of Assembly the said Work shall Merit. for
7. 11.
fit

Ordered,

That when the said Laws are printed and neatly Bound in Calfskin, and Lettered, that the said *Samuel Allinson* do deliver, to be paid for by this Colony,

P p

To

To his Excellency the Governor,	—	—	2
To each of the Gentlemen of the Council one,	—	—	12
To the Committee of Correspondence for the Use of the Agent,			2
To each of the Judges of the Supreme Court one,			3
To the Clerk of the Supreme Court,	—	—	2
To each of the Treasurers one,	—	—	2
To the Attorney-General one,	—	—	1
To the Clerk of the Council	—	—	2
To the Clerks of the Assembly for their own Use, each one,			2
To the said Clerks for the Use of the House	—	—	4
			<hr/> 32

To the Members of the House of Assembly as follows,

Middlesex	—	—	—	30
Monmouth	—	—	—	23
Essex	—	—	—	23
Somerset	—	—	—	23
Bergen	—	—	—	20
Morris	—	—	—	20
Burlington	—	—	—	41
Gloucester	—	—	—	32
Salem	—	—	—	32
Cape-May	—	—	—	14
Hunterdon	—	—	—	38
Cumberland	—	—	—	26
Suffex	—	—	—	38
				<hr/> 360

And the Members of the House, when they receive those ordered for the said Counties, are to distribute them as follows, *viz.*

To the Members of the present House of Assembly each one.

To the Clerk of each County one, for the Use of the Court and himself.

To the Clerk of each Corporation Sessions one, to the Use of the Corporation Court and himself.

To the Clerk of each Precinct one, for the continual Use of the Inhabitants of the Precinct, and to be transmitted to his Successor in Office.

To the Collector of each County one, to be transmitted to his Successor, for the Use of the Office.

To the Assessor of each Precinct one, to be transmitted to his Successor, for the Use of the Office.

To the Overseers of the Poor of each City, Borough, Township or Precinct one, to be transmitted to their Successors in Office.

To the Boards of Justices and Freeholders respectively, for the Use of the Board one.

The House adjourned till Nine o'Clock To-morrow Morning.

Wednesday,

Wednesday, February 16, 1774.

The House met.

The Bill, Re-engrossed with the Council's Amendments, entitled, *An Act to enable sundry Persons Proprietors and Possessors of certain Lands and Meadows lying upon the Walkill, in the County of Suffex, commonly called and known by the Name of the Drowned Lands, to drain the same, and for other Purposes therein mentioned*, was read and compared;

Ordered,

That Mr. Speaker do sign the same.

Ordered,

That Mr. Pettit and Mr. Van Horne do carry the said Bill to the Council.

Mr. Hinchman, from the Committee to whom the Bill, entitled, *An Act for the more equitable Manumission of Slaves, and other Purposes concerning them*, was re-committed, reported the same with several Amendments thereto, and the said Bill was read with the Amendments in their Places; then the several Petitions for and against the more easy Manumission of Slaves, were read the second Time;

Ordered,

That the said Bill, together with the said Petitions, be referred to the next Session of General Assembly for further Consideration:

Whereupon the Question was put, whether the said Bill be printed with the Votes of the present Session or not? It was carried in the Affirmative:

Yeas.	Yeas.	Yeas.	Nays.
Mr. Moores,	Mr. Kinsey,	Mr. Holme,	Mr. Combs,
Mr. Lawrence,	Mr. Hewlings,	Mr. Tucker,	Mr. Wetherill,
Mr. Fisher,	Mr. Paxson,	Mr. Mehelm,	Mr. Taylor,
Mr. Roy,	Mr. Sykes,	Mr. Sheppard,	Mr. Crane,
Mr. Dey,	Mr. Hinchman,	Mr. Elmer,	Mr. Garritse,
Col. Ford,	Mr. Price,	Mr. Van Horne,	Mr. Demarest,
Mr. Winds,	Mr. Gibbon,	Mr. Pettit.	Mr. Hand,
			Mr. Eldridge.

Ordered,

That the said Bill be printed with the Votes accordingly.

The Petition from Sarah Ely, Isaac De Cow and David Brearley, jun. praying Leave to bring in a Bill for their Relief with Respect to the Loss of two Title Deeds by Fire, was read the second Time, and several Affidavits and Proofs relative to the same, were also read;

Ordered,

That the Petitioners have Leave to bring in a Bill for the Purpose aforesaid:

Whereupon Mr. Tucker, on Behalf of the Petitioners, brought in a Bill, entitled, *An Act to relieve Sarah Ely, Isaac De Cow and David Brearley, jun. with Respect to the Loss of two Title Deeds by Fire*; which was read, and ordered a second Reading.

The several Petitions from the County of Morris, praying that Money at Interest may be taxed, were read the second Time; on the Question, whether

whether the Prayer of the Petitioners be granted or not? It passed in the Negative.

Ordered,

That the said Petitions do lie on the Table.

A Petition was presented to the House from 34 reputable Freeholders and Inhabitants of the Counties of *Somerset* and *Middlesex*, shewing that it is with the greatest Concern the Petitioners observe the Dispute on the late Robbery of the Treasury, which appears to them greatly to impede the publick Business; and that in their Opinion the House ought to oppose every Measure that tends to destroy that most valuable Privilege of the Subject, *to wit*, a Trial by his Peers; and praying that the Request of the Eastern Treasurer may be granted, so that he may have a fair Trial by his Country, before any Censure is passed on him, and before he is deprived of his Office; the Petition was read, and ordered a second Reading.

The House adjourned till Two, P. M.

The House met.

A Petition was presented from fundry Freeholders and Inhabitants of the Township of *Springfield*, in the County of *Burlington*, setting forth Reasons against building a Bridge over *Affiscunk* Creek, as prayed for by other Petitioners; the same was read, and ordered a second Reading.

A Petition was presented to the House from a large Number of Freeholders and other Inhabitants of the County of *Suffex*, setting forth the Distresses which this Colony suffers for Want of a Paper Currency, and praying that a competent Sum of Paper Money may be struck, and let out on Loan; which Petition was read, and ordered a second Reading.

A Message from his Excellency by Mr. D. Secretary *Pettit*.

Mr. SPEAKER,

THE Governor is in the Council-Chamber, ready to receive the House with their Address;

Whereupon Mr. Speaker left the Chair, and, with the House, went to wait upon his Excellency; and being returned, Mr. Speaker resumed the Chair, and reported that the House had waited upon his Excellency with their Address, in the Words following, *viz.*

To His Excellency WILLIAM FRANKLIN, Esq. Captain-General, Governor and Commander in Chief in and over His Majesty's Colony of Nova-Cæsarea or New-Jersey, and Territories thereon depending in America, Chancellor and Vice-Admiral in the same, &c.

The Humble ADDRESS of the REPRESENTATIVES of the said Colony, in General Assembly convened.

May it please your Excellency,

WE, His Majesty's dutiful and loyal Subjects, the Representatives of the Colony of *New-Jersey*, in General Assembly convened, sensible of the Advantages arising from the Detection of the Gangs

Gangs of Villains concerned in the making of a base Kind of Half Johannes's and *Spanish* Dollars, and in the counterfeiting of the Paper Currency of this and the neighbouring Colonies, receive with Pleasure your Excellency's Congratulations on the Stop which has been put to the further Progress of those atrocious Crimes.

Though it gives us Concern to hear of the Escape of some of each Gang, yet as we hope those Escapes have not happened through the Neglect of any of the Officers of this Government, or if that has been the Case, that a Matter of so much Importance to the due Execution of Justice has not only been fully inquired into, but also punished in an exemplary Manner—we are satisfied with, and return your Excellency our Thanks for the Assurance which you have been pleased to give us, that no Endeavours on your Part shall be wanting to have those who escaped apprehended and brought to Justice.

It would give us Pleasure to be able to join your Excellency in Opinion, that the Robbery of the Eastern Treasury had been brought to Light; but, after having considered your Excellency's Message of the 29th of *November*, and examined the Papers laid before us, we cannot but think that this Affair still remains in an Obscurity which we must leave to Time to unravel.

We have taken into our Consideration the Requisitions made to support Government, and to supply the King's Troops stationed in this Colony, and have already come to such Resolutions as the Honour of the Province, and our Duty, seem at present to require.

Being persuaded that Nothing has "a Chance to contribute more" to the Promotion of the publick Welfare, than a Harmony between the several Branches of the Legislature, we thank your Excellency for the Promise you are pleased to give, to cultivate it as much as is in your Power; and we hope that you will always find us disposed to do every Thing which can be reasonably asked, that may have a Tendency to preserve the Harmony which you are pleased to mention to us as productive of Happiness to yourself, and may be of real Benefit to the Colony.

By Order of the House,

HOUSE of ASSEMBLY, }
Feb. 10, 1774.

CORTLAND SKINNER, *Speaker.*

To which His Excellency was pleased to make the following Answer.

Gentlemen,

I AM happy to find that my Speech contained any Thing which you could "receive with Pleasure," and I should have been still happier had you (as the Council did) bestowed your Commendations on those publick-spirited Gentlemen to whose active Zeal and Abilities you, and the Publick in general, are indebted for the Occasion of those Congratulations which have met with so pleasing a Reception in your House.

But I am sorry to observe that though you are not disposed to approve, yet you have no Aversion to insinuate Charges against the Officers of Government. What Officers you allude to, as having through Negligence been the Means of letting some of each Gang escape, I know

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not.

not. Every one, I believe, of the Gang of Coiners that was taken, was tried, and such of them as were convicted were punished. Those of them who escaped out of the Province were never in the Custody of any Officer, but went off as soon as they heard their Practices were discovered. Nor has there more than one of those who were apprehended for being concerned in the Counterfeiting Business escaped from any Officer of Government, and that Officer, an Under-Sheriff, was soon after removed by his Superior. But as I afterwards received a Representation from the Under-Sheriff containing sundry Charges against the High-Sheriff's Conduct on that Occasion, I ordered him to be furnished with a Copy of it, and to let me know what he had to offer in his Vindication. This he did in a Letter or Memorial, accompanied with sundry Affidavits, which I laid before the Council, who were of Opinion that the Charges contained in the Representation were not supported. However, being informed that a Bill of Indictment was found by the Grand-Jury of *Morris* against the Sheriff respecting the Escape of *Ford*, Orders were given to the Attorney-General to prosecute the same at the next Court. If you know of any other Officer of Government who is supposed to have been remiss in his Duty in that important Affair, it would become you better to name him to me, that I may cause a particular Inquiry to be made into his Conduct, than to throw out a general Insinuation which may happen to be applied to the innocent as well as to the guilty. Had you not refused to enable me to send in Pursuit of those who escaped from Justice, my Endeavours to have them apprehended might ere now have been attended with the desired Success ;—at least the Attempt would have been a Means of deterring others from the like Practices, and the Expence to the Province would have been too trifling to merit Consideration.

I can, at present, only judge of the "*Pleasure* it would give you to " be able to join me in Opinion that the Robbery of the Eastern Treasury had been brought to Light," by the great Pains which have been taken by a Committee of your House to prove the contrary, and your Approbation of their Report. But I have nevertheless Reason to think, Gentlemen, that it will not be long before those dark Clouds which your Committee have raised to obscure that Light, will be so effectually dispersed, as to afford you an Opportunity of enjoying the Pleasure you mention.

I should have had more Satisfaction in your Resolutions to support Government and to supply the King's Troops, had it not been for an Intimation in a Message which I have since received from you, that your " subsequent Conduct in some Measure depends on my Determination" respecting the Removal of the Eastern Treasurer. It is therefore proper that I now tell you, that though you should withhold the necessary Supplies for Government, yet, if you hope, by so arbitrary an Exercise of your Power, to compel me to act contrary to my own Judgment, and the unanimous Advice of the Council, you will find yourselves greatly disappointed in your Expectations.—While I conceive that I am contending for a Matter that is just and reasonable, and which not only concerns the Honour of Government, but the constitutional Rights
of

of every Freeman in the Colony, I cannot act so inconsistently with my Duty as to give it up.

I shall be happy to see the Disposition you profess "to do every Thing which can be reasonably asked that may have a Tendency to preserve Harmony," manifested in the future Transactions of this Session. You may be assured that I shall not ask any Thing of you but what you may grant consistently with your Duty, and that I shall always be ready to oblige you and the Province in every Thing that is not inconsistent with mine.

His Excellency's Message of the 14th Instant was read the second Time.

Ordered,

That Mr. *Lawrence*, Mr. *Tucker*, Mr. *Paxson*, Mr. *Dey*, Mr. *Combs*, Mr. *Price*, Mr. *Hinchman*, Mr. *Kinsey*, and Mr. *Sykes*, be a Committee to prepare and bring in the Draught of an Answer to His Excellency's said Message.

Two Petitions were presented to the House from a considerable Number of reputable Freeholders and Inhabitants of the Township of *Mansfield*, in the County of *Burlington*, setting forth sundry Reasons against building a Bridge over *Affiscunk* Creek, in the City of *Burlington*; the same were read, and ordered a second Reading.

A Message from His Excellency by Mr. D. Secretary *Pettit*.

A MESSAGE to the ASSEMBLY.

Gentlemen,

THE Opinions you request are not at my Disposal. They were obtained by a Gentleman in *England* for his private Satisfaction, at his own Expence, and were sent over to his Friend in this Province, who some Time since, communicated them to me. With his Leave I made the Extracts which are given in my Message. The Questions on which those Opinions are founded were all that materially concerned the Points in Dispute between us. That you may see that they were fairly put, I shall subjoin them, with the Answers.—It appeared to me that the Case was impartially stated, and that every Fact mentioned therein could be fully supported by your Minutes. I have no Right to require the Gentleman to furnish me with a Copy of the Case and Opinions at large, nor do I think it reasonable to request it of him, any more than I think it would be right in me to require or request you to furnish that Gentleman with the Case and Opinions which I understand that you, or some of your Members, have been at the Expence and Trouble of obtaining from *England* on this Occasion. But to evince my Readiness to oblige you as far as may be in my Power, if you will furnish me with the Case and Opinions procured by your Members, or "inform me where they may be had," I will endeavour to obtain those you request, in Return. The Gentleman who is possessed of that from which I quoted may, perhaps, have no Objection to such an Exchange, though he may not be inclined to gratify an useless Curiosity. I call it *useless*, because the Merits of the Question no Way depend upon these extrajudicial Opinions; neither have I desired, nor do I desire you to rely upon

upon them farther than you think they are just. The Points I have insisted upon are, as I contend, conformable to the Laws of the Land, and I have not only given you Authorities from Law Books in Support of my Opinion on one of them, but I have offered to give up the Matter in Dispute if any Gentlemen of Character who are versed in the Practice, will declare under their Hands that the other is not Law. Not that I believe such Opinions would much alter my Judgment in this Case, even if they were from the very respectable Gentlemen who gave those I quoted; but as I am convinced that no honest Man learned in that Profession, would ever subscribe his Name to what is so evidently repugnant to Reason and Common Sense.

Feb. 16, 1774.

WM. FRANKLIN.

Extract from a CASE, &c. respecting the Eastern Treasurer.

“ It is asked,

“ 1st. *As the Moneys stolen were expressly given to the Crown and lodged in the Treasury, to be drawn out as Exigencies of Government should require, Whether an Action at the Suit of the King, and what Action will legally determine between the King, the People, and the Treasurer ?*”

“ ANSWER, By His Majesty's Prerogative, the Attorney-General of the Province may file Information for the King in Debt, for the King has a Right to charge in that form any Man, who, by Way of simple Contract, or by any Means whatsoever of Trust, Damage, Duty, Rent-Arrear, &c. becomes chargeable, but there is no Point of Doubt in the Case to be determined.”

Extract from another Answer to the same Question—“ I am of Opinion that an Information on the Part of the Crown is the proper Remedy to recover it.”—

“ QUESTION 2d. *Whether such Suit cannot be instituted for determining this Matter without removing the Treasurer from his Office ?*

“ ANSWER. It certainly may.”—

Another ANSWER to the same QUESTION—“ The Removal of the Officer is by no means necessary to the Institution or Prosecution of the Suit.”

The same was read, and ordered to be read a second Time.

The House adjourned till Nine o'Clock To-morrow Morning.

Thursday, February 17, 1774.

The House met.

On Motion made,

His Excellency's Answer to the Address of the House was again read :

Then his Excellency's Message of Yesterday Afternoon was read the second Time :

Ordered,

That the said Answer and Message be committed to the Committee appointed to prepare the Draught of an Answer to his Excellency's Message of the 14th Instant.

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A Petition was presented to the House from divers Freeholders and Inhabitants of the County of *Burlington*, as was another from several Freeholders inhabiting in the County of *Mommouth* and elsewhere, setting forth that the late Act of Assembly, respecting broad-wheeled Carriages, is not fully carried into Execution, by Reason of the Unwillingness of Persons to lodge Informations against those who violate the said Act; and praying a Law to enforce the said Act, either by taxing those who use narrow Fellies, and to apply said Taxes to the Repair of the Roads, or in such other Way as to the Legislature shall seem meet; these two Petitions were read, and ordered to be read a second Time.

A Memorial was presented to the House from the Honourable *Stephen Skinner*, Esquire, Treasurer of the Eastern Division, praying the House to take his repeated Request of having the Dispute, occasioned by the Robbery of the Treasury, determined by the Laws of his Country, into serious Consideration; the same was read, and ordered a second Reading.

The Bill, entitled, *An Act more effectually to prevent unlawful killing of Horses and horned Cattle in this Colony*, was read the second Time, amended in the House, and the Title altered, being now entitled, *An Act more effectually to prevent the malicious, unlawful and wilful killing, maiming, wounding or disfiguring of Horses, Sheep or horned Cattle in this Colony*; on the Question, whether the Bill as amended be engrossed or not? It was carried in the Affirmative, *Nem. Con.*

Ordered,

That the said Bill as amended be engrossed.

The House adjourned till Two, P. M.

The House met.

The Engrossed Bill, entitled, *An Act more effectually to prevent the malicious, unlawful and wilful killing, maiming, wounding or disfiguring of Horses, Sheep or horned Cattle in this Colony*, was read and compared; on the Question,

Resolved,

That the said Bill do pass.

Ordered,

That Mr. *Winds* and Mr. *Van Horne* do carry the said Bill to the Council for Concurrence.

The Petition from *Abraham Sayre* and others, praying for his Enlargement from *Effex* Gaol, together with the Papers accompanying the same, was read the second Time;

Ordered,

That the said Petition do lie on the Table.

Mr. *Hinchman*, from the Committee to whom the Bill, entitled, *A supplementary Act to an Act, entitled, An Act for laying a Duty on the Purchasers of Slaves imported into this Colony*, was committed, reported the same, and the Bill being read;

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Ordered,

Ordered,

That the same be referred to the next Session of Assembly.

On a Motion made,

Ordered,

That Mr. *Fisher*, Mr. *Paxson*, Mr. *Mehelm* and Mr. *Elmer*, be a Committee to prepare and bring in a Bill for securing the publick Monies that now are or hereafter may be in the Treasury of this Colony.

Mr. *Winds* reported, that Mr. *Van Horne* and himself delivered the Bill with them intrusted to the Speaker in Council.

Mr. *Pettit* reported, that Mr. *Van Horne* and himself delivered the Bill with them intrusted to the Speaker in Council.

The House adjourned till Nine o'Clock To-morrow Morning.

Friday, February 18, 1774.

The House met.

The Petition from *John Ruth*, Prisoner in *Burlington* Gaol, praying a Discharge from Confinement, was read the second Time; on the Question,

Ordered,

That the said Petition do lie on the Table.

The Petition from the Inhabitants of the Western Precinct of the County of *Somerset*, praying to be excused from maintaining *Stony-Brook* Bridge, and the *Landing* Bridge, and *Boundbrook* Bridge over *Raritan*, was read the second Time;

Ordered,

That the same be referred to the next Session.

The several Petitions from *Burlington* County, and *Monmouth* County, respecting broad-wheeled Carriages, were read the second Time, and referred to the next Session of Assembly.

The Memorial from the Honourable *Stephen Skinner*, Esquire, Treasurer of the Eastern Division, was read the second Time;

Ordered,

That the said Memorial be entered upon the Journals of this House, and the same is as follows, *viz.*

To the Honourable the HOUSE of ASSEMBLY of the Province of New-Jersey.

The MEMORIAL of STEPHEN SKINNER, Treasurer of the Eastern Division of the Province of *New-Jersey*,

Humbly sheweth,

THAT your Memorialist begs Leave once more to renew his earnest Application, entreating the House to take his repeated Request of having the Dispute, occasioned by the Robbery of the Treasury, determined by the Laws of his Country, into serious Consideration; and declaring on his own Part, that, should the House apprehend any
Inconvenience

Inconvenience to the People from a Suit at Law in the ordinary Way, your Memorialist is ready and willing to enter into any just and equitable Mode of determining this Matter—that he asks nothing that can or will be inconsistent with natural Justice, and therefore he will agree upon any proper Method of giving this Matter a full, just and equitable Determination—and that for this Purpose he will give any Security that can be reasonably asked to stand to, and abide such Determination-- And as Consent will take away all Error, he presumes and hopes that the House will at length come to such Resolution concerning this Affair as may remove every Difficulty, and make way at last for a speedy, fair and equitable Trial; and your Memorialist, at the same Time, repeats his former Assurances to the House, in the most solemn Manner, that, should the impartial Voice of his Country upon such a Trial convict him of Neglect of Duty in the Care and Management of the publick Money, he will then without Delay or Hesitation resign his Office; and that this his Memorial be entered on the Minutes of the House.

BURLINGTON, February }
17, 1774.

STEPHEN SKINNER.

On the Question, whether the Memorial be referred to the Committee appointed to prepare and bring in the Draught of an Answer to his Excellency's Message of the 14th Instant, or not? It passed in the Affirmative.

Ordered,

That the same be referred to the said Committee accordingly.

The House adjourned till Two, P. M.

The House met.

The Bill, entitled, *An Act for the Support of Government of His Majesty's Colony of New-Jersey, to commence the first Day of October One Thousand Seven Hundred and Seventy-three, and to end the first Day of October One Thousand Seven Hundred and Seventy-four, and to discharge the publick Debts and contingent Charges thereof*, was read the second Time, and committed to a Committee of the whole House;

Resolved,

That this House will go into a Committee of the whole House upon the said Bill on Monday next, at Two o'Clock, P. M.

Mr. Van Horne had Leave of Absence upon urgent Business until Monday Afternoon next.

Mr. Fisher, from the Committee to whom the Bill, entitled, *An Act for the more effectual Prevention of Lotteries, Horseracing, Cockfighting, and Shootingmatches within this Colony; and to prevent the Sale of Tickets in Lotteries erected out of the Colony, and for other Purposes herein mentioned*, was committed, reported the same with several Amendments, and the Title altered, being now entitled, *An Act more effectually to prevent the erecting of Lotteries, and selling of Lottery Tickets within this Colony*.

The

The said Bill was read with the Amendments in their Places ; and the Bill being further amended in the House, on the Question,

Ordered,

That the said Bill as amended be engrossed.

Col. *Ford*, with Leave of the House, brought in a Bill, entitled, *An Act more effectually to prevent Horseracing, Cockfighting and Gaming within this Colony*, which was read, and ordered a second Reading.

A Message from the Council by Mr. *Lawrence*, acquainting the House, that the Council have passed the Bill, entitled, *An Act to empower the Inhabitants of the Townships of Elsinborough, Pilesgrove and Pittsgrove, in the County of Salem, to repair their publick Highways by Hire, and to raise Money for that Purpose*, and the Bill, entitled, *An Act to regulate the Packing of Beef and Pork, and to ascertain the Size of Casks*, without any Amendments.

The House adjourned till Nine o'Clock To-morrow Morning.

Saturday, February 19, 1774.

The House met.

Mr. *Lawrence*, from the Committee to whom the Eastern Treasurer's Memorial of the 17th Instant was referred, made their Report in the following Words, *viz.*

WE have taken into our Consideration the Memorial of the Eastern Treasurer of the 17th of *February* 1774, referred to us by the House, and beg Leave to Report,

That we apprehend the Memorial to be too uncertain for the House to put any Dependence on it, and calculated rather to lead the good People of the Colony into an unfavourable Opinion of the House, than really to obtain a fair, just and equitable Trial.

The House of Representatives have no Power to order any Trial at all ; and, as they at their last Sessions declared they could not join in a Prosecution until he was removed from his Office, and the publick Money put in other Hands ; so your Committee at present do think it will be prejudicial to the Colony to go into any Trial whilst the Eastern Treasurer is in Office.

To resign when convicted of Negligence, when the House has declared they know of no civil Suit in which it can with Propriety be brought in Question, is a Promise to which the House ought not to pay any Regard ; and a Consent to go to a Trial on such Promise, carries with it an Appearance of an Acquiescence with the Eastern Treasurer's being continued in his Office, which your Committee are of Opinion the House ought not to give the least Room to suppose.

If he is really desirous to comply with every practicable Method as is expressed in his Memorial of the 6th of *December* 1773, or with any equitable Mode as is mentioned in the present Memorial, he ought to resign his Office, which will enable the House to point out a practicable

practicable Method in which they think he will have a fair and impartial Trial.

The Treasurer's Refusal to resign his Office, when by his own Account he has lost upwards of £. 6000, and persisting in his Refusal against the Inclinations of the Representatives, in the Opinion of your Committee, has an unfavourable Appearance; but as we look on ourselves to be under an Obligation to consider the Language of his Memorials when we prepare a Draught of an Answer to the Message of the Governor on the 14th Instant, and to point out the particular Instances of Negligence appearing from the Affidavits, and which occur to the Memory of such of the House as were present at the Examination at *Amboy* in 1770, your Committee beg Leave only to add that they are of Opinion the said Memorial ought to be rejected—all which they submit to the House.

On the Question, whether the said Report shall be received and entered on the Journals of the House or not? It was carried in the Affirmative as follows, *to wit*,

Yeas.	Yeas.	Yeas.	Nays.
Mr. Combs,	Mr. Paxson,	Mr. Mehelm,	Mr. Crane,
Mr. Wetherill,	Mr. Sykes,	Mr. Sheppard,	Mr. Garritse,
Mr. Moores,	Mr. Hinchman,	Mr. Elmer.	Mr. Roy,
Mr. Taylor,	Mr. Price,		Mr. Demarest,
Mr. Lawrence,	Mr. Holme,		Col. Ford,
Mr. Dey,	Mr. Hand,		Mr. Hewlings,
Mr. Winds,	Mr. Eldridge,		Mr. Pettit.
Mr. Kinsey,	Mr. Tucker,		

1 *Resolved*,

That it is the Opinion of the present, as well as that of the late House of Assembly, that the Eastern Treasurer hath not kept the publick Money with proper Care.

Yeas.	Yeas.	Yeas.	Nays.
Mr. Combs,	Col. Ford,	Mr. Holme,	Mr. Crane,
Mr. Wetherill,	Mr. Winds,	Mr. Hand,	Mr. Roy,
Mr. Moores,	Mr. Kinsey,	Mr. Eldridge,	Mr. Demarest,
Mr. Taylor,	Mr. Paxson,	Mr. Tucker,	Mr. Hewlings,
Mr. Lawrence,	Mr. Sykes,	Mr. Mehelm,	Mr. Pettit.
Mr. Garritse,	Mr. Hinchman,	Mr. Sheppard,	
Mr. Dey,	Mr. Price,	Mr. Elmer.	

2 *Resolved*,

That it is the Opinion of this House that the Eastern Treasurer ought not to be trusted in future with the Care of the publick Money.

Yeas.	Yeas.	Yeas.	Nays.
Mr. Combs,	Mr. Kinsey,	Mr. Eldridge,	Mr. Crane,
Mr. Wetherill,	Mr. Paxson,	Mr. Tucker,	Mr. Garritse,
Mr. Moores,	Mr. Sykes,	Mr. Mehelm,	Mr. Roy,
Mr. Taylor,	Mr. Hinchman,	Mr. Sheppard,	Mr. Demarest,
Mr. Lawrence,	Mr. Price,	Mr. Elmer.	Col. Ford,
Mr. Dey,	Mr. Holme,		Mr. Hewlings,
Mr. Winds,	Mr. Hand,		Mr. Pettit.

S f

3 *Resolved*,

3. *Resolved,*

That this House cannot, consistent with their Duty, consent to a Law to put any Money into his Hands.

Yeas.	Yeas.	Yeas.	Nays.
Mr. Combs,	Mr. Kinsey,	Mr. Eldridge,	Mr. Crane,
Mr. Wetherill,	Mr. Paxson,	Mr. Tucker,	Mr. Garritse,
Mr. Moores,	Mr. Sykes,	Mr. Mehelm,	Mr. Roy,
Mr. Taylor,	Mr. Hinchman,	Mr. Sheppard,	Mr. Demarest,
Mr. Lawrence,	Mr. Price,	Mr. Elmer.	Col. Ford,
Mr. Dey,	Mr. Holme,		Mr. Hewlings,
Mr. Winds,	Mr. Hand,		Mr. Pettit.

4. *Resolved,*

That by the Laws already passed the Legislature, and now in Force, the Eastern Treasurer (unless removed from his Office) will annually receive upwards of *Seven Thousand Pounds* of the Publick Money for above eight Years to come; and that his Continuance in Office, and thereby permitting him to receive those considerable Sums, is much to the Dissatisfaction of the good People of this Colony.

Yeas.	Yeas.	Yeas.	Nays.
Mr. Combs,	Mr. Kinsey,	Mr. Eldridge,	Mr. Crane,
Mr. Wetherill,	Mr. Paxson,	Mr. Tucker,	Mr. Garritse,
Mr. Moores,	Mr. Sykes,	Mr. Mehelm,	Mr. Roy,
Mr. Taylor,	Mr. Hinchman,	Mr. Sheppard,	Mr. Demarest,
Mr. Lawrence,	Mr. Price,	Mr. Elmer.	Col. Ford,
Mr. Dey,	Mr. Holme,		Mr. Hewlings,
Mr. Winds,	Mr. Hand,		Mr. Pettit.

5. *Resolved,*

That the Negligence of the Eastern Treasurer in keeping the Publick Money, whereby a Loss of *Six Thousand Pounds* and upwards—the General Dissatisfaction of the People—and the Request of their Representatives—are, in the Opinion of this House, sufficient Reasons for his Removal, and that the Refusal greatly tends to the Prejudice of his Majesty's Service.

Yeas.	Yeas.	Yeas.	Nays.
Mr. Combs,	Mr. Kinsey,	Mr. Eldridge,	Mr. Crane,
Mr. Wetherill,	Mr. Paxson,	Mr. Tucker,	Mr. Garritse,
Mr. Moores,	Mr. Sykes,	Mr. Mehelm,	Mr. Roy,
Mr. Taylor,	Mr. Hinchman,	Mr. Sheppard,	Mr. Demarest,
Mr. Lawrence,	Mr. Price,	Mr. Elmer.	Col. Ford,
Mr. Dey,	Mr. Holme,		Mr. Hewlings,
Mr. Winds,	Mr. Hand,		Mr. Pettit.

6. *Resolved,*

That this House, having twice requested the Removal of the Eastern Treasurer of his Excellency to no Purpose, do protest against the ill Consequences that may follow by such his Continuance in Office, and are of Opinion, that if any Damage should hereafter ensue to his Majesty's

Majesty's Service, or any future Loss accrue thereby, it ought to lie at the Door of those who continue him in Office, and not to this House,

Yeas.	Yeas.	Yeas.	Nays.
Mr. Combs,	Mr. Kinsey,	Mr. Eldridge,	Mr. Crane,
Mr. Wetherill,	Mr. Paxson,	Mr. Tucker,	Mr. Garritse,
Mr. Moores,	Mr. Sykes,	Mr. Mehelm,	Mr. Roy,
Mr. Taylor,	Mr. Hinchman,	Mr. Sheppard,	Mr. Demarest,
Mr. Lawrence,	Mr. Price,	Mr. Elmer.	Col. Ford,
Mr. Dey,	Mr. Holme,		Mr. Hewlings,
Mr. Winds,	Mr. Hand,		Mr. Pettit.

7. *Resolved,*

That his Excellency having refused to remove the Eastern Treasurer, it is the Opinion of this House, that a Petition be presented to the King, most humbly requesting that he would graciously be pleased to grant the good People of this Province Redress of the Grievances the Colony labours under on Account of their Treasury.

Yeas.	Yeas.	Yeas.	Nays.
Mr. Combs,	Mr. Kinsey,	Mr. Eldridge,	Mr. Crane,
Mr. Wetherill,	Mr. Paxson,	Mr. Tucker,	Mr. Garritse,
Mr. Moores,	Mr. Sykes,	Mr. Mehelm,	Mr. Roy,
Mr. Taylor,	Mr. Hinchman,	Mr. Sheppard,	Mr. Demarest,
Mr. Lawrence,	Mr. Price,	Mr. Elmer.	Col. Ford,
Mr. Dey,	Mr. Holme,		Mr. Hewlings,
Mr. Winds,	Mr. Hand,		Mr. Pettit.

A Message from the Council by Mr. Parker.

Ordered,

COUNCIL-CHAMBER, Feb. 18, 1774.

THAT Mr. Parker do carry the Bill, entitled, *An Act more effectually to punish the Counterfeiters of foreign Gold and Silver Coins, &c.* with the Amendments thereto annexed, to the House of Assembly, and desire their Concurrence in the said Amendments.

By Order of the House,

CHA. PETTIT.

Thereupon the said Bill was read, with the Amendments in their Places, and upon the Question severally put, upon the said Amendments, the House agreed to the last, but disagreed to all the others, and in those Parts adhere to the Bill.

Ordered,

That Mr. Sykes and Mr. Pettit do carry back the said Bill and Amendments to the Council, and acquaint them thereof.

The House adjourned till Monday Morning, Nine o'Clock.

Monday, February 21, 1774.

The House met.

The Engrossed Bill, entitled, *An Act more effectually to prevent the erecting*

erecting of Lotteries, and selling of Lottery Tickets within this Colony, was read and compared ; on the Question,

Resolved,

That the same do pass.

Ordered,

That Mr. *Hewlings* and Mr. *Pettit* do carry the said Bill to the Council for Concurrence.

A Petition was presented to the House from *Ebenezer Corwell*, praying a Law to sell certain Shares of Propriety in the Western Division of this Colony, belonging to *Thomas Reading* and the Estate of *Daniel Reading*, deceased ;

Ordered,

That the said Petition do lie on the Table, because the same was not presented within the Time limited by the Rules of the House.

A Petition was presented to the House from sundry Freeholders of *Chesterfield*, and another from other Parts of the County of *Burlington*, setting forth Reasons against building a Bridge over *Affiscunk* Creek, in the City of *Burlington*, which Petitions were read :

Then the several Petitions for and against the said Bridge and a Road from thence into *York Road*, were read the second Time :

The Question was put, whether the House will go into the Consideration of the Matter now, or refer the same to the next Session ? It passed for Referring.

Ordered,

That the Consideration thereof be referred to the next Session accordingly.

The House adjourned till Two, P. M.

The House met.

Mr. *Price*, from the Committee appointed for the Purpose, brought in a Bill, entitled, *An Act for Supply of the Troops quartered in the Barracks of this Colony*, which was read, and referred to the Committee of the whole House on the Bill for *Support of Government*, to be provided for in that Bill :

And Mr. *Price*, from the same Committee, brought in a Bill, entitled, *An Act for defraying Incidental Charges* ; which was read, and ordered a second Reading.

Mr. *Hewlings* reported, that Mr. *Pettit* and himself delivered the Bill with them intrusted to the Speaker in Council.

A Message from the Council by Mr. *Coxe*.

Ordered,

COUNCIL-CHAMBER, Feb. 21, 1774.

THAT Mr. *Coxe* do carry the Bill, entitled, *An Act more effectually to prevent the malicious, unlawful and wilful killing, maiming, wounding or disfiguring of Horses, Sheep or horned Cattle in this Colony*, with the Amendments thereto annexed, to the House of Assembly, and desire their Concurrence in the said Amendments.

By Order of the House,

CHA. PETTIT, D. Clerk.

Which

Which Bill was read, with the Amendments in their Places, and upon the Question severally put, upon the said Amendments, the House agreed to each of them, except the last, to which the House disagreed, and in that Part adhere to the Bill.

Ordered,

That Mr. *Dey* and Mr. *Garritse* do carry back the said Bill and Amendments to the Council, and acquaint them thereof.

According to Order the House resolved itself into a Committee of the whole House, on the Bill *for Support of Government*; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Crane*, Chairman of the Committee, reported, that the Committee had made some Progress in the Bill, and desired Leave to sit again.

Ordered,

That the said Committee do sit again.

A Message from His Excellency by Mr. D. Secretary *Pettit*.

Gentlemen,

I SEND you a Petition from the Board of Justices and Freeholders in the County of *Cape-May*, setting forth that the Gaol of the said County has been lately consumed by Fire, and requesting a new Law to enable them to erect another. The Necessity of such a new Law is so fully and clearly represented in the Petition that I cannot but recommend it to you as an Object proper for your immediate Attention.

WM. FRANKLIN.

Feb. 21st, 1774.

Which Message, together with the Petition therein mentioned, were read;

Ordered,

That Mr. *Kinsley* and Mr. *Hinchman* do wait on his Excellency and inform him, that the House have taken his Excellency's Message of this Day, relative to the Gaol of *Cape-May*, into Consideration, and will make the Provision required;—and to request that his Excellency will be pleased to inform the House, whether he has appointed a Justice of the Supreme Court, in the Place of *Charles Read*, Esq. and the Name of the Person so appointed, that the House may make proper Provision for him in the Support Bill, now before the House.

Ordered,

That the Members for the County of *Cape-May* do bring in a Bill for rebuilding the Gaol in that County.

Mr. *Sykes* reported, that Mr. *Pettit* and himself delivered the Bill with them intrusted to the Speaker in Council.

Mr. *Kinsley* reported, that Mr. *Hinchman* and himself delivered the Message of the House with them intrusted to his Excellency.

The Bill, entitled, *An Act more effectually to prevent Horseracing, Cock-fighting, Shootingmatches and Gaming within this Colony*, was read the second Time, amended in the House, and upon the Question agreed to, and ordered to be engrossed.

A Petition was presented to the House from 31 reputable Freeholders and Inhabitants of the County of *Somerset*; as was another from 66 reputable Freeholders and Inhabitants of the County of *Suffex*, praying that the Eastern Treasurer may not be deprived of his Office until he is condemned by a Trial of his Peers; the same were read, and ordered a second Reading.

Mr. *Dey* reported, that Mr. *Garritse* and himself delivered the Bill with them intrusted to the Speaker in Council.

The House adjourned till Nine o'Clock To-morrow Morning.

Tuesday, February 22, 1774.

The House met.

On a Motion made,

That, by the Laws of this Colony, unlocated Shares of Propriety are not subject to Execution;

Ordered,

That Leave be given to bring in, at the next Session, *A supplementary Act to the Act, entitled, An Act subjecting real Estates in the Province of New-Jersey to the Payment of Debts, and directing the Sheriff in his Proceedings thereon.*

The House adjourned till Two, P. M.

The House met.

A Message from His Excellency by Mr. D. Secretary *Pettit*.

Gentlemen,

SINCE I have heard from Mr. *Read*, that he did not propose to return to this Province, I have looked about for a proper Person to fill the important Office of a Justice of the Supreme Court. The Gentleman I have thought of is the Honorable Mr. *Stockton*, whose Abilities and Qualifications for that Office need not be mentioned to your House. But he has assured me, that he cannot without making too great a Sacrifice of his Interest to the Publick, accept of it with a Salary less than Two Hundred Pounds a Year. If you are inclined to give that Salary to each of the Puisne Judges, which I am in Hopes you will think is far from being unreasonable, you may insert his Name in the Bill for the Support of Government—But if you do not choose to grant that Allowance, your Bill may be worded in such a Manner as that the Salary may be paid to the Third Justice of the Supreme Court for the Time being, and I shall appoint some Person to fill that Office the best qualified of any I can procure to accept of it on such Terms as you think proper to allow.

February 21, 1774.

WM. FRANKLIN.

Which was read, and referred to the Committee of the whole House on the Bill for Support of Government.

Mr.

Mr. *Fisher*, from the Committee on publick Accounts, reported the Barrack-Master's Account; which was read, and referred to the Committee of the whole House on the Support Bill.

The Engrossed Bill, entitled, *An Act more effectually to prevent Horse-racing, Cockfighting, Shootingmatches and Gaming within this Colony*, was read and compared; on the Question,

Resolved,
That the same do pass.

Yeas.	Yeas.	Yeas.	Nays.
Mr. <i>Combs</i> ,	Col. <i>Ford</i> ,	Mr. <i>Mehelm</i> ,	Mr. <i>Crane</i> ,
Mr. <i>Wetherill</i> ,	Mr. <i>Sykes</i> ,	Mr. <i>Elmer</i> ,	Mr. <i>Garritse</i> ,
Mr. <i>Moore</i> ,	Mr. <i>Price</i> ,	Mr. <i>Van Horne</i> .	Mr. <i>Dey</i> ,
Mr. <i>Taylor</i> ,	Mr. <i>Holme</i> ,		Mr. <i>Demarest</i> ,
Mr. <i>Lawrence</i> ,	Mr. <i>Hand</i> ,		Mr. <i>Winds</i> ,
Mr. <i>Fisher</i> ,	Mr. <i>Eldridge</i> ,		Mr. <i>Hewlings</i> ,
Mr. <i>Roy</i> ,	Mr. <i>Tucker</i> ,		Mr. <i>Paxson</i> ,
			Mr. <i>Pettit</i> .

Ordered,
That Mr. *Taylor* and Mr. *Hand* do carry the said Bill to the Council for Concurrence.

The House adjourned till Nine o'Clock To-morrow Morning.

Wednesday, February 23, 1774.

The House met.

Mr. *Hand*, pursuant to Order, brought in a Bill, entitled, *An Act for building and repairing a convenient Gaol and Court-House in the County of Cape-May, and for other Purposes therein mentioned*; which was read, and ordered a second Reading.

The Committee on publick Accounts informing the House that Mr. *Joseph Hollinshead* has two Accounts with this Colony unsettled, and has neglected to attend the Committee, pursuant to Notice given him,

Ordered,
That the Sergeant at Arms attending this House do bring the said *Joseph Hollinshead* before the House, in order for the Settlement of his said Accounts.

Mr. *Taylor* reported, that Mr. *Hand* and himself delivered the Bill with them intrusted to Mr. *Stockton*, one of the Gentlemen of the Council, the Council not then sitting.

On a Motion made,

Ordered,
That Mr. *Lawrence* and Mr. *Paxson* be a Committee to prepare and bring in the Draught of a Message to his Excellency, praying him to appoint some proper Person in the Eastern Division, for receiving the Taxes to be raised for the ensuing Year, for Support of Government, and Contingent Charges.

The

The House adjourned till Two, P. M.

The House met.

Mr. *Lawrence*, from the Committee appointed to that Service, brought in the Draught of a Message to his Excellency, which being read, was agreed to by the House, and is as follows, viz.

Ordered,

THAT Mr. *Winds* and Mr. *Eldridge* do wait on his Excellency and inform him, that the Bill for Support of Government, and Supply of the King's Troops and other Contingencies, is now under Consideration; and that the House requests the Favour of his Excellency, that he would be pleased to appoint a proper Person in the Eastern Division to receive the publick Monies thereby intended to be granted to his Majesty, as it is evident the House cannot have Confidence in the present Eastern Treasurer, nor lodge any more Money in his Hands.

Three Petitions were presented to the House from 230 reputable Freeholders and Inhabitants of the County of *Monmouth*, setting forth Reasons for the Removal of the Eastern Treasurer, and praying that he may be then tried, and that a Law may pass for securing the publick Money in the Treasury of this Colony; the said Petition was read, and ordered to be read a second Time.

A

DR. Mr. *WILSON HUNT*, Muster Master,—

1761,				
May 12.	To Cash paid him by S. <i>Smith</i> , Esq. Treasurer, viz.			
	Levy Money for the <i>New-Jersey</i> Regiment	—	£.	1787 10 0
30,	To Ditto per ditto,	—		500 0 0
June 13.	To Ditto per ditto,	—		200 0 0
1762,				
April 20.	To Ditto per ditto,	—		3000 0 0
28.	To Ditto per <i>Thomas Rodman</i> ,	—		182 1 0
			£.	5669 11 0

A Message from the Council by Mr. Parker.

COUNCIL-CHAMBER, Feb. 23, 1774.

THE House taking into Consideration the Inconveniences arising from the Want of a Sergeant at Arms and a Doorkeeper in each Division, and that Provision has hitherto been made but for one of each of the said Officers for the whole Province, and his Excellency having been pleased to say, that he will remove those Inconveniences by appointing a Sergeant at Arms and Doorkeeper to this House, in each Division, if Provision be made for their Support :

Ordered,

That Mr. Parker do acquaint the House of Assembly therewith, and request that Provision be made accordingly.

By Order of the House,

CH A. PETTIT, D. Clerk.

The same was read, and referred to the Committee of the whole House, on the Bill for Support of Government.

Mr. Winds reported, that Mr. Eldridge and himself delivered the Message of the House with them intrusted to his Excellency, who was pleased to say, he would send the House an Answer.

Mr. Fisher, from the Committee on publick Accounts, made the following Report; to which the House agreed, viz.

to the Province of NEW-JERSEY,	CONTRA	CR.
--------------------------------	--------	-----

1761.

May 30. By the Amount of fundry Vouchers from the above

Date until April 29th 1762, examined and
allowed, _____

By Balance due the Province _____

£. 4902	2	8
767	8	4

£. 5669 11 0

U u

DR.

DR. Mr. WILSON HUNT, Muster Master,—

To Balance brought over,	_____	£. 767 8 4
To Interest on the above from April 28 1762 until		
Dec. 1773, is 11 Years and 7 Months,	_____	622 5 7½

£. 1389 13 11½

Ordered,

That Mr. *Hunt* do attend the House, in the Beginning of the next Session of Assembly, to shew Cause, if any he hath, why he doth not pay the Balance of the said Account.

The Bill, entitled, *An Act for rebuilding and repairing a convenient Gaol and Court-House in the County of Cape-May*, was read the second Time, amended in the House, and, upon the Question, agreed to, and ordered to be engrossed.

- Ordered,

That *John Wetherill, James Kinsey, Samuel Tucker, Henry Paxson, John Combs, John Hinchman, Richard Lawrence, Robert Friend Price, and Anthony Sykes*, Esquires, be, and they or any five of them are hereby appointed a Committee to correspond with the Agent of this Colony.

The House adjourned till Nine o'Clock To-morrow Morning.

Thursday, February 24, 1774.

The House met.

The Engrossed Bill, entitled, *An Act for erecting a convenient Gaol in the County of Cape-May, and to authorize the rebuilding and repairing of the Court-House or Gaol of that County at any Time hereafter*, was read and compared ; on the Question,

Resolved,

to the Province of *NEW-JERSEY*, CONTRA CR.

1769, June 16.	By Cash paid S. Smith, Treasurer, _____	£. 350	0	0
	By Interest of the above £. 350 from June 16th 1769 until Dec. 1773, is 3 Years 5½ Months	—	84	14 0
1772, August.	By Ditto paid S. Smith, _____	300	0	0
	By Interest on the above £. 300 from August 1772 until Dec. 1773, is 1 Year and 4 Months,	—	28	0 0
1773, Dec. 3.	By an Order in favour of Mr. Abraham Hunt, on S. Smith, Esq. Western Treasurer, the Balance of said Hunt's Account as Barrack-Master, allowed him by an Act of the Legislature of the 12th of — GEORGE the III ^d _____	48	10	0
	By Cash paid S. Smith, Esq. the Treasurer, _____	68	18	4
	By Balance due to the Colony including simple In- terest, _____	509	11	7½
		£. 1389	13	11½

All which is submitted to the House,

HENDRICK FISHFR,
ROBERT FRIEND PRICE,
JOHN MEHELM.

Resolved,

That the same do pass.

Ordered,

That Mr. Hand and Mr. Eldridge do carry the said Bill to the Council for Concurrence.

Mr. Hand reported, that Mr. Eldridge and himself delivered the Bill with them intrusted to Mr. Skinner, one of the Gentlemen of the Council.

The House adjourned till Three, P. M.

The House met.

A Message from the Council by Mr. Smith.

COUNCIL-CHAMBER, Feb. 23, 1774.

Ordered,

THAT Mr. Smith do carry the Bill, entitled, *An Act for regulating Roads and Bridges*, with the Amendments thereto annexed, to the House of Assembly, and desire their Concurrence in the said Amendments.

By Order of the House,

CH A. P E T T I T, D. Clerk.

The said Bill was read, and the Amendments in their Places, and upon the Question severally put upon the Amendments, the House agreed to them all except the 18th and 20th, to which they disagreed, and in those Parts adhere to the Bill.

Ordered,

Ordered,

That Mr. *Hinchman* and Mr. *Price* do carry back the said Bill and Amendments to the Council, and acquaint them therewith.

A Message from His Excellency by Mr. D. Secretary *Pettit*.

A MESSAGE to the ASSEMBLY.

Gentlemen,

HAVING communicated your Message of Yesterday to Mr. *Skinner*, that he might see the Objections you have to his being intrusted with the Money proposed to be granted to His Majesty at this Session, he has thereupon presented me with a Memorial requesting Leave to resign his Office. In Hopes that his Resignation may be the Means of entirely removing those Difficulties which have of late embarrassed and impeded the publick Business, I have given my Consent to it, and have, with the unanimous Advice of the Council, appointed *John Smyth*, Esq. Treasurer for the Eastern Division; and I hope his Appointment will prove agreeable to your House.

It would not be doing Justice to Mr. *Skinner*, if I did not subjoin a Copy of his Memorial, that you may see from what truly publick-spirited Motives he has been induced to comply with your Inclinations on this Occasion.

Feb. 24, 1774.

WM. FRANKLIN.

Copy of the Eastern Treasurer's MEMORIAL to the GOVERNOR.

To His Excellency WILLIAM FRANKLIN, Esq. Captain-General, and Governor in Chief in and over the Province of New-Jersey, and Territories thereon depending in America, Chancellor and Vice-Admiral in the same, &c.

May it please your Excellency,

THE Misfortune which befel me in the Year 1768, of being robbed of a large Sum of the publick Money committed to my Custody as Treasurer of the Eastern Division of this Province, has been greatly increased by the Obscurity in which the Perpetrators of that atrocious Villany have been concealed. And although my most zealous Endeavors have not been wanting to have them discovered, and such Circumstances have at length been brought to Light, as seem to point them out with a great Degree of Probability; yet by an unfortunate Concurrence of other Circumstances, the Publick has hitherto not received that full Evidence of their Guilt, which seems necessary to carry Conviction into every Mind. Hence there remains with some People a Doubt that has been the Source of the severest Part of my Calamity. A doubtful Mind is open to any plausible Suggestion, and a Man in a publick Station is seldom without some Enemies, who are ready to rejoice in his Misfortunes, and to put the worst Construction it will possibly bear, on every Part of his Conduct. An uncharitable Suspicion against my moral Character, on this Occasion, has taken Place in the Minds of some Persons in divers Parts of the Province, who have not had an Opportunity of being duly informed of the Truth, even so

so far as it has been discovered. This, to a Heart conscious of its own Integrity, and looking forward to the Hopes of a rising Family, and the Honor of worthy Connections, must afford the keenest Anguish. And altho' the Loss of so much Money as that of which the Treasury has been robbed, should it fall upon me, must be attended with great Distress, and perhaps Ruin to my Family, it is a Loss I would much rather sustain, were I driven to the unhappy Alternative, than suffer so odious a Stigma to descend with my Character to Posterity.

This, Sir, has been the chief Motive which has induced me so earnestly to solicit that my Conduct may be enquired into, by a fair and impartial Trial—And the Apprehension that a Removal from my Office might have the Appearance of my being supposed, by your Excellency, to be in some Measure guilty, has induced me to request that I might be continued in Office, until such Trial should be had. You have been pleased, Sir, so far as it lay with you, to grant me this Request, and to declare that you think it just and reasonable. But, to my great Mortification, the House of Assembly have adopted a different Opinion, and seem disposed to support it with much Perseverance. This Difference of Opinion has already given great Interruption to that Harmony among the several Branches of the Legislature which has hitherto been one of the happy Effects of your Excellency's Administration. Dissentions and Uneasiness have taken Place among the People, and the necessary Measures of Government are threatened with Obstructions which may be highly pernicious to the publick Peace and Welfare of the Province.

I sincerely thank you, Sir, for the Assurances you have been pleased to give me that you will not remove me from my Office before a Trial. But, as I agree with your Excellency in the Position mentioned in your Message to the Assembly, that the Interests of an Individual ought not to be put in Competition with the publick Good, and as I am induced to hope that my voluntary Resignation of the Office of Treasurer, will be so far acceptable to the Honorable House of Assembly, as to put an End to the unhappy Dispute now subsisting between your Excellency and them, and thereby restore Peace to the Province, I am willing to make the Sacrifice, in full Confidence that I shall receive, from the Candor of that Honorable House and the Publick, such Consideration as is due to the heavy Misfortune in which, through Accident, I am now involved.—But whatever may be the Event to myself, I *will* not be the Cause of continuing a publick Contention which may, in its Consequences, be abundantly more injurious to the People than the Loss of the Money of which I have been robbed. I therefore request your Excellency's Leave to resign the Office of Treasurer of the Eastern Division of *New-Jersey*, and ardently hope it will have the salutary Effect I have mentioned.

I am, with great Respect,

Your Excellency's most obedient

Humble Servant,

Feb. 24, 1774.

STEPHEN SKINNER.

W w

Ordered,

Ordered,
That His Excellency's Message have a second Reading.

The House adjourned till Nine o'Clock To-morrow Morning.

Friday, February 25, 1774.

The House met.

Two Petitions were presented to the House and read, from 141 reputable Freeholders and Inhabitants of the County of *Somerset*, praying that the Eastern Treasurer may be tried before he is deprived of his Office, and that proper Provision may be made for determining that unhappy Dispute.

Ordered,
That the Petitions be read a second Time.

Mr. *Hinchman* reported, that Mr. *Price* and himself delivered the Bill and Amendments with them intrusted to the Speaker in Council.

The Bill, entitled, *An Act to relieve Sarah Ely, Isaac De Cow and David Brearley, jun. with Respect to the Loss of two Title Deeds by Fire*, was read the second Time, and committed to Mr. *Mehelm* and Mr. *Elmer*.

The House adjourned till Two, P. M.

The House met.

A Message from the Council by Mr. *Coxe*.

COUNCIL-CHAMBER, *Feb. 25, 1774.*

Ordered,
THAT Mr. *Coxe* do carry the Bill, entitled, *An Act more effectually to prevent the malicious, unlawful and wilful killing, maiming, wounding or disfiguring of Horses, Sheep or horned Cattle in this Colony*, with the Amendments thereto annexed, to the House of Assembly, and acquaint them that this House adhere to all the said Amendments.

By Order of the House,

C H A. P E T T I T, *D. Clerk.*

Ordered,
That the Representatives of the Counties of *Bergen, Morris and Sussex*, together with Mr. *Fisher*, Mr. *Moore*, Mr. *Garritse*, Mr. *Hinchman* and Mr. *Sykes*, be a Committee to meet a Committee of the Council in a free Conference on the Subject Matter of the said Bill and Amendments.

Ordered,
That Mr. *Holme* and Mr. *Elmer* do inform the Council thereof, and desire them to appoint a Committee of their House accordingly, together with the Time and Place of Meeting.

A Message from the Council by Mr. Skinner.

COUNCIL-CHAMBER, *Feb. 25, 1774.*

Ordered,
THAT Mr. *Skinner* do carry the Bill, entitled, *An Act for regulating Roads and Bridges*, with the Amendments thereto annexed, to the House of Assembly, and acquaint them that this House do recede from the 18th and 20th of the said Amendments ; which were rejected by the House of Assembly.

By Order of the House,

CHA. PETTIT, *D. Clerk.*

Ordered,
That the said Bill be re-engrossed with the Amendments agreed upon by both Houses.

The House again, according to Order, resolved itself into a Committee of the whole House on the Bill *for Support of Government* ; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Crane*, Chairman of the Committee, reported, that the Committee had made some further Progress in the Bill to them committed, and desired Leave to sit again.

Ordered,
That the said Committee do sit again.

The House adjourned till Nine o'Clock To-morrow Morning.

Saturday, February 26, 1774.

The House met.

Mr. *Holme* reported, that Mr. *Elmer* and himself delivered the Message of the House with them intrusted to Mr. *Smith*, one of the Gentlemen of the Council, the Council not then sitting.

The House again, according to Order, resolved itself into a Committee of the whole House on the Matters referred to the Committee of the whole House on the Governor's Speech ; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Crane*, Chairman of the Committee, reported, that the said Committee had gone through the Matters to them referred, and had come to one further Resolution, which he was ready to report whenever the House will please to receive the same.

Ordered,
That the Report be made immediately :
Whereupon Mr. *Crane* reported the Resolution of the Committee as follows, *viz.*

Resolved,
That a Bill be prepared for striking £. 100,000 in Bills of Credit, to be let out on Loan in the several Counties of this Colony ; on the Question, Whether the House agrees to the said Resolve or not ? It passed in the Affirmative, as follows, *viz.*

Yeas.

Yeas.	Yeas.	Yeas.	Nays.
Mr. Combs,	Mr. Fisher,	Mr. Hewlings,	Mr. Hinchman,
Mr. Wetherill,	Mr. Roy,	Mr. Paxson,	Mr. Price,
Mr. Moores,	Mr. Dey,	Mr. Sykes,	Mr. Gibbon,
Mr. Taylor,	Mr. Demarest,	Mr. Tucker,	Mr. Holme,
Mr. Lawrence,	Col. Ford,	Mr. Mehelm,	Mr. Hand,
Mr. Crane,	Mr. Winds,	Mr. Elmer,	Mr. Eldridge,
Mr. Garritse,	Mr. Kinsey,	Mr. Van Horne,	Mr. Sheppard.
		Mr. Pettit.	

Ordered,

That Mr. Fisher, Mr. Wetherill, Mr. Crane, Mr. Kinsey and Mr. Tucker, be a Committee to prepare and bring in a Bill for the Purpose aforesaid.

Mr. Mehelm, from the Committee to whom the Bill, entitled, *An Act to relieve Sarah Ely, Isaac De Cow and David Brearley, jun. with Respect to the Loss of two Title Deeds by Fire*, was committed, reported the same, with several Amendments thereto, and the Bill being read, with the Amendments in their Places, the same were agreed to by the House, and the Bill as amended ordered to be engrossed.

Mr. Fisher, from the Committee appointed for the Purpose, brought in the Draught of a Bill, entitled, *An Act for striking One Hundred Thousand Pounds, in Bills of Credit*; which was read, and ordered a second Reading.

The House adjourned till Monday Morning, Ten o'Clock.

Monday, February 28, 1774.

The House met.

The Engrossed Bill, entitled, *An Act to relieve Sarah Ely, Isaac De Cow and David Brearly, jun. with Respect to the Loss of two Title Deeds by Fire*, was read and compared; on the Question,

Resolved,

That the same do pass.

Ordered,

That Mr. Tucker and Mr. Mehelm do carry the said Bill to the Council for Concurrence.

The Bill Re-engrossed, with the Amendments agreed upon by the Council and House of Representatives, entitled, *An Act for regulating Roads and Bridges*, was read and compared;

Ordered,

That Mr. Speaker do sign the same.

Ordered,

That Mr. Tucker and Mr. Mehelm do carry the said Bill to the Council.

Mr. Kinsey, with Leave of the House, brought in a Bill, entitled, *An Act for the more speedy Recovery of Legacies in this Province, and for affirming*

affirming such Acts of Administrators bona Fide done before Notice of a Will ; which was read, and ordered a second Reading.

Mr. Tucker reported, that Mr. Mehelm and himself delivered the Bills with them intrusted to the Speaker in Council.

Mr. Kinsey, from the Committee to whom the Bill, entitled, *An Act to enable the Owners and Possessors of the low Lands, Meadows and Swamps on both Sides of Assunpink Brook, from the Province Line to the Lands of John Ely, to remove the Obstructions to the free Course of the Waters of the same Brook*, was committed, reported the same with sundry Amendments thereto ; the said Bill was read with the Amendments in their Places ;

Ordered,

That the said Bill as amended be engrossed.

The House adjourned till Two, P. M.

The House met.

The Engrossed Bill, entitled, *An Act to enable the Owners and Possessors of the low Lands, Meadows and Swamps on both Sides of Assunpink Brook, from the Province Line to the Lands of John Ely, to remove the Obstructions to the free Course of the Waters of the same Brook*, was read and compared ; on the Question,

Resolved,

That the same do pass.

Ordered,

That Mr. Lawrence and Mr. Combs do carry the said Bill to the Council for Concurrence.

Mr. Fisher, from the Committee appointed for that Purpose, brought in a Bill, entitled, *An Act to oblige the Treasurers of the Colony of New-Jersey to give Security for the due Execution of their Offices, and to prescribe the Mode in which the same Security shall be taken ;* which was read, and ordered a second Reading.

Mr. Dey, from the Committee appointed to meet with a Committee of the Council, in free Conference on the Bill, entitled, *An Act more effectually to prevent the malicious, unlawful and wilful killing, maiming wounding or disfiguring of Horses, Sheep or horned Cattle in this Colony*, reported, that the Committees had met accordingly on the Amendment proposed by the Council, *to wit,*

Provided always, That nothing in this Act shall be construed to extend or give Relief to any Person or Persons making a Practice of driving Horses, Cattle, Sheep and Hogs into the Counties of Bergen, Morris and Suffex, from any other County in this Province, or from either of the said Counties into the other, with an Intention or Design of pasturing the same in the Ranges or Outlets of unimproved Lands within either of the three Counties aforesaid, unless every such Person be an Owner and Proprietor in his or her own Right of a Freehold of at least Three Hundred Acres of Land within the particular County to which he or she shall drive the said Horses, Cattle and Sheep as aforesaid, or Hogs for Range or Pasture.

That, after some Time spent in Conference, the Committee of the

Council adhering to the Amendment, the Committee of the House not satisfied with the Reasons offered, could not agree to the same, and therefore adhered to the Bill in that Part; all which is submitted to the House.

Ordered,

That the said Bill do lie on the Table.

Mr. *Lawrence* reported, that Mr. *Combs* and himself delivered the Bill with them intrusted to Mr. *Stockton*, one of the Gentlemen of the Council, the Council not then sitting.

The Bill, entitled, *An Act for the more speedy Recovery of Legacies in this Province, and for affirming such Acts of Administrators bona Fide done before Notice of a Will*, was read the second Time, amended in the House, and, upon the Question, agreed to and ordered to be engrossed.

The House adjourned till Nine o'Clock To-morrow Morning.

Tuesday, March 1, 1774.

The House met.

A Petition was presented to the House and read from 53 reputable Freeholders and Inhabitants of the County of *Monmouth*, praying the Legislature to unite in removing the Eastern Treasurer from his Office, and then to cause a Prosecution to be set on Foot against him for the Recovery of the publick Money said to be stolen; and that a Law may pass to oblige the Treasurers to give Security for the safe Keeping of the publick Money in their Hands.

Ordered,

That the said Petition have a second Reading.

The Sergeant at Arms, according to Order, brought *Joseph Hollinshead* before the House;

Ordered,

That the said *Joseph Hollinshead* do attend the Committee on publick Accounts this Evening at Six o'Clock, at the House of *Joseph Haight*, and that after he has settled his Accounts he be discharged, paying his Fees.

Ordered,

That Mr. *Lawrence*, Mr. *Kinsley* and Mr. *Paxson*, be a Committee to prepare and bring in a Bill to authorize the present Treasurer of the Eastern Division to bring an Action against the late Treasurer for the Monies said to be stolen from the Treasury.

The Bill, entitled, *An Act to oblige the Treasurers of the Colony of New-Jersey to give Security for the due Execution of their Offices, and to prescribe the Mode in which the same Security shall be taken*, was read the second Time, and committed to a Committee of the whole House.

The House accordingly resolved itself into a Committee of the whole House on the said Bill; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, by Order of the House, reported, that the Committee had gone through the
Bill,

Bill, and had made fundry Amendments to the same ; the Bill being read with the Amendments in their Places,

Ordered,

That the Bill as amended be engrossed.

A Message from the Council by Mr. *Skinner*.

COUNCIL-CHAMBER, *Feb. 28, 1774.*

Ordered,

THAT Mr. *Skinner* do carry the Bill, entitled, *An Act for the Settlement and Relief of the Poor*, with the Amendments thereto annexed, to the House of Assembly, and desire their Concurrence in the said Amendments.

By Order of the House,

CHA. PETTIT, *D. Clerk.*

The said Bill was read with the Amendments in their Places, and upon the Question severally put upon the said Amendments, the House agreed to all, except the Ninth, Tenth and Seventeenth, to which they disagreed, and in those Parts adhere to the Bill.

Ordered,

That Mr. *Pettit* and Mr. *Sykes* do carry back the said Bill and Amendments to the Council, and acquaint them therewith.

The House adjourned till Three, *P. M.*

The House met.

The Engrossed Bill, entitled, *An Act for the more speedy Recovery of Legacies in this Province, and for affirming such Acts of Administrators bona Fide done before Notice of a Will*, was read and compared ; on the Question,

Resolved,

That the same do pass.

Ordered,

That Mr. *Kinsley* and Mr. *Mehelm* do carry the said Bill to the Council for Concurrence.

Mr. *Pettit* reported, that Mr. *Sykes* and himself delivered the Bill with them intrusted to Mr. *Stockton*, one of the Gentlemen of the Council, the Council not then sitting.

A Message from the Council by Mr. *Parker*, informing the House, that the Council have receded from such of their Amendments made to the Bill, entitled, *An Act more effectually to punish the Counterfeiters of foreign Gold or Silver Coin current within the Colony of New-Jersey, and the Utterers thereof, knowing the same to be Counterfeit*, as were rejected by this House ;

Ordered,

That the said Bill be re-engrossed, with the Amendments agreed upon by both Houses.

Ordered,

That Mr. *Kinsley*, Mr. *Hinchman* and Mr. *Sheppard*, be a Committee to prepare and bring in the Draught of a Message to his Excellency, requesting

requesting that he would be pleased to inform the House, whether he would join the House in a Law, authorizing the present Treasurer in commencing an Action against the late Treasurer for the Deficiency of the publick Money.

The Bill, entitled, *An Act for striking One Hundred Thousand Pounds in Bills of Credit*, was read the second Time, and committed to a Committee of the whole House.

A Message from the Council by Mr. Lawrence.

Ordered,

COUNCIL-CHAMBER, March 1, 1774.

THAT Mr. Lawrence do carry the Bill, entitled, *An Act for the Settlement and Relief of the Poor*, with the Amendments thereto annexed, to the House of Assembly, and acquaint them that this House has receded from the Ninth, Tenth and Seventeenth of the said Amendments, which were rejected by the House of Assembly.

Ordered also,

That Mr. Lawrence do acquaint the House of Assembly, that the Bill, entitled, *An Act for erecting a convenient Gaol in the County of Cape-May*, &c. is passed in this House without any Amendment.

By Order of the House,

CHA. PETTIT, D. Clerk.

Ordered,

That the Bill *for the Settlement and Relief of the Poor*, be re-engrossed with the Amendments agreed upon by both Houses.

The House resolved itself into a Committee of the whole House on the Bill *for striking One Hundred Thousand Pounds in Bills of Credit*; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. Crane, Chairman of the Committee, reported, that the Committee had made some Progress in the Bill, and desired Leave to sit again:

Ordered,

That the said Committee do sit again.

The House adjourned till Nine o'Clock To-morrow Morning.

Wednesday, March 2, 1774.

The House met.

The Engrossed Bill, entitled, *An Act to oblige the Treasurers of the Colony of New-Jersey to give Security for the due Execution of their Offices, and to prescribe the Mode in which the same Security shall be taken*, was read and compared; on the Question,

Resolved Nem. Con.

That the same do pass.

Ordered,

That Mr. Fisher and Mr. Wetherill do carry the said Bill to the Council for Concurrence.

The Bill Re-engrossed, with the Amendments agreed upon by the Council and House of Representatives, entitled, *An Act more effectually*
to

to punish the Counterfeiters of foreign Gold or Silver Coin current within the Colony of New-Jersey, and the Utterers thereof, knowing the same to be Counterfeit, was read and compared;

Ordered,

That Mr. Speaker do sign the same.

Ordered,

That Mr. *Fisher* and Mr. *Wetherill* do carry the said Bill to the Council.

Mr. *Kinsey* reported, that Mr. *Mehelm* and himself delivered the Bill with them intrusted to the Speaker in Council.

Mr. *Kinsey*, from the Committee appointed for the Purpose, brought in the Draught of a Message to his Excellency, and, upon the Question, whether the same be engrossed and sent accordingly? It was carried in the Affirmative as follows, viz.

Yeas.	Yeas.	Yeas.	Nays.
Mr. <i>Combs</i> ,	Mr. <i>Sykes</i> ,	Mr. <i>Sheppard</i> ,	Mr. <i>Crane</i> ,
Mr. <i>Wetherill</i> ,	Mr. <i>Hinchman</i> ,	Mr. <i>Elmer</i> ,	Mr. <i>Garrity</i> ,
Mr. <i>Moore</i> ,	Mr. <i>Price</i> ,	Mr. <i>Van Horne</i> .	Mr. <i>Fisher</i> ,
Mr. <i>Taylor</i> ,	Mr. <i>Holme</i> ,		Mr. <i>Roy</i> ,
Mr. <i>Lawrence</i> ,	Mr. <i>Hand</i> ,		Mr. <i>Demarest</i> ,
Mr. <i>Dey</i> ,	Mr. <i>Eldridge</i> ,		Col. <i>Ford</i> ,
Mr. <i>Kinsey</i> ,	Mr. <i>Tucker</i> ,		Mr. <i>Winds</i> ,
Mr. <i>Paxson</i> ,	Mr. <i>Mehelm</i> ,		Mr. <i>Hewlings</i> ,
			Mr. <i>Pettit</i> .

Ordered,

THAT Mr. *Mehelm* and Mr. *Elmer* do wait on his Excellency and inform him, that the House have taken under their Consideration the Mode pointed out to call the late Eastern Treasurer to an Account for the Deficiency of the publick Money.

The House do not apprehend the Information mentioned by his Excellency will answer the Purpose of doing Justice between the Colony and the late Treasurer. They are of Opinion, that a Law authorizing the present Treasurer to demand and receive, or in case of Refusal, to bring an Action on the Case against the late Treasurer for such Deficiency, will effectually bring the Matter to a Determination: This Action may without Difficulty be brought, and may be easily defended; the Treasurer will have an Opportunity of offering all that he can justly advance in his Defence, and the Interest which the Court, Jurors or Evidences may have in the Point to be litigated may be removed; but that if any Objection founded on the real Merits of the Controversy should occur, the House would be willing to adopt another Way of proceeding.

The House conceiving a Law for the Purpose to be by much the most eligible Method, have appointed a Committee to bring in a Bill with which they should be glad to have his Excellency's Concurrence. The House are willing to appoint some of their Members to manage the Prosecution, and thereby save his Excellency any further Trouble.

They are very desirous that the present Session should not pass over without fixing on some Method to put an End to this disagreeable Affair,

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which

which has been the Means of interrupting the Peace of the Colony ; wherefore they desire his Excellency would be pleased to favour this Matter with his immediate Attention, and the House with a speedy Answer.

By Order of the House,

RICHARD SMITH, Clerk.

On Motion made,

Ordered,

That Mr. *Tucker* and Col. *Ford* do wait on his Excellency, and request of him, that he will be pleased to inform the House whether his Excellency can give his Assent to a Bill for striking £. 100,000 in Bills of Credit, with a Clause directing the Commissioners of the Loan-Office to take the same in all Payments to them to be made for any Debts due on any Mortgage in their Books, and with a suspending Clause to the said Bill.

The House adjourned till Two, P. M.

The House met.

Mr. *Fisher* reported, that Mr. *Wetherill* and himself delivered the two Bills with them intrusted to the Speaker in Council.

Mr. *Mehelm* reported, that Mr. *Elmer* and himself delivered the Message of the House to his Excellency according to Order, who was pleased to say, the House should hear from him.

Mr. *Tucker* reported, that Col. *Ford* and himself delivered the Message of the House with them intrusted to his Excellency, who was pleased to say, the House should hear from him.

The Bill Re-engrossed, with the Amendments agreed upon by the Council and House of Representatives, entitled, *An Act for the Settlement and Relief of the Poor*, was read and compared ;

Ordered,

That Mr. Speaker do sign the same.

Ordered,

That Mr. *Taylor* and Mr. *Lawrence* do carry the said Bill to the Council.

The House again, according to Order, resolved itself into a Committee of the whole House on the Bill *for Support of Government* ; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Crane*, Chairman of the Committee, reported, that the Committee had gone through the Bill, and had come to several Resolutions which he was ready to report whenever the House will please to receive the same.

Ordered,

That the Report be made immediately :

Whereupon Mr. *Crane* reported the Resolutions of the Committee as follow, *viz.*

1 *Resolved,*

That in and by the said Bill when passed into a Law there be paid to his Excellency WILLIAM FRANKLIN, Esq. Governor of this Colony,
at

at the Rate of £. 1200 per Annum Proclamation Money, to commence the First Day of *October* last ; and on the Question, whether the House agrees to the said Resolution or not? It passed in the Affirmative as follows, *viz.*

Yeas.	Yeas.	Yeas.	Nays.
Mr. Crane,	Mr. Kinsey,	Mr. Tucker,	Mr. Combs,
Mr. Garritse,	Mr. Hewlings,	Mr. Mehelm,	Mr. Wetherill,
Mr. Fisher,	Mr. Paxson,	Mr. Sheppard,	Mr. Moores,
Mr. Roy,	Mr. Hinchman,	Mr. Elmer,	Mr. Taylor,
Mr. Dey,	Mr. Price,	Mr. Van Horne,	Mr. Lawrence,
Mr. Demarest,	Mr. Holme,	Mr. Pettit.	Mr. Sykes,
Col. Ford,	Mr. Eldridge,		Mr. Hand,
Mr. Winds,			who voted for £. 1000.

2. To *David Ogden*, Esq. one of the Justices of the Supreme Court of this Colony at the Rate of £. 150 per Annum, Money afore said ; and on the Question, whether the House agrees thereto or not? It passed in the Affirmative as follows, *viz.*

Yeas.	Yeas.	Nays.	Nays.
Mr. Crane,	Mr. Hinchman,	Mr. Combs,	Mr. Dey,
Mr. Fisher,	Mr. Price,	Mr. Wetherill,	Mr. Demarest,
Mr. Roy,	Mr. Holme,	Mr. Moores,	Mr. Winds,
Col. Ford,	Mr. Mehelm,	Mr. Taylor,	Mr. Hand,
Mr. Kinsey,	Mr. Sheppard,	Mr. Lawrence,	Mr. Eldridge,
Mr. Hewlings,	Mr. Elmer,	Mr. Garritse,	Mr. Tucker,
Mr. Paxson,	Mr. Van Horne,	who voted for £. 100.	
Mr. Sykes,	Mr. Pettit.		

3. To *Richard Stockton*, Esq. one of the Justices of the Supreme Court of this Colony at the Rate of £. 150 per Annum, Money afore said ; and on the Question, whether the House agrees thereto or not? It was carried in the Affirmative as follows, *viz.*

Yeas.	Yeas.	Nays.	Nays.
Mr. Crane,	Mr. Holme,	Mr. Combs,	Mr. Dey,
Mr. Fisher,	Mr. Mehelm,	Mr. Wetherill,	Mr. Demarest,
Mr. Roy,	Mr. Sheppard,	Mr. Moores,	Mr. Winds,
Col. Ford,	Mr. Elmer,	Mr. Taylor,	Mr. Hand,
Mr. Kinsey,	Mr. Van Horne,	Mr. Lawrence,	Mr. Eldridge,
Mr. Hewlings,	Mr. Pettit.	Mr. Garritse,	Mr. Tucker,
Mr. Paxson,		who voted for £. 100.	
Mr. Sykes,			
Mr. Hinchman,			
Mr. Price,			

4. To *Cortland Skinner*, Esq. Attorney-General of this Colony at the Rate of £. 40 per Annum, Money afore said ; on the Question, whether the House agrees thereto or not? It passed in the Affirmative as follows, *viz.*

Yeas

Yeas.	Yeas.	Nays.	Nays.
Mr. Crane,	Mr. Paxson,	Mr. Combs,	Mr. Hand,
Mr. Garritse,	Mr. Sykes,	Mr. Wetherill,	Mr. Eldridge,
Mr. Fisher,	Mr. Hinchman,	Mr. Moores,	Mr. Tucker,
Mr. Roy,	Mr. Holme,	Mr. Taylor,	Mr. Sheppard,
Mr. Demarest,	Mr. Mehelm,	Mr. Lawrence,	Mr. Elmer,
Col. Ford,	Mr. Van Horne,	Mr. Dey,	
Mr. Winds,	Mr. Pettit.	Mr. Price,	
Mr. Kinsey,		who voted for £ 30.	
Mr. Hewlings,			

5. To Samuel Smith and John Smyth, Esquires, Treasurers of this Colony, each at the Rate of £. 40 per Annum, Money aforesaid; to which the House agreed.

6. To the Clerk of the Council for the Time being, at the Rate of £. 30 per Annum, Money aforesaid; to which the House agreed.

7. To the Agent of the Colony for the Time being, at the Rate of £. 100 per Annum, Money aforesaid; to which the House agreed.

Ordered,

That the further Consideration of the said Report be referred till To-morrow Afternoon.

A Message from His Excellency by Mr. D. Secretary Pettit.

A MESSAGE to the ASSEMBLY.

Gentlemen,

I DO not at present conceive that any Mode can be contrived more eligible than the one already provided by the Constitution for calling the late Eastern Treasurer to an Account. Your Reasons for apprehending that an Information will not answer the Purpose of doing Justice between the Colony and him, are not mentioned. If they were, perhaps they might be as convincing to me as they are to your House. However, as you have thought fit, previous to your Application to me on this Head, to order a Bill to be brought in for the Purpose, I have only to say that should it pass the Council, and not appear to me to contain any thing improper, it will certainly meet with my Concurrence.

March 2d, 1774.

WM. FRANKLIN.

Which was read.

The House adjourned till Nine o'Clock To-morrow Morning.

Thursday, March 3, 1774.

The House met.

Mr. Lawrence, from the Committee appointed to that Service, brought in a Bill, entitled, *An Act to authorize the present Treasurer of the Eastern Division, to bring an Action against the late Treasurer for the*

the Monies said to be stolen from the Treasury, and for other Purposes therein mentioned; which was read, and ordered a second Reading.

A Petition was presented to the House from sundry Freeholders and Inhabitants of the Township of *Amwell*, in the County of *Hunterdon*, praying a Law to enable them to repair their publick Roads by Tax, which Petition was read;

Ordered,

That the Petitioners have Leave to bring in a Bill at the next Session, provided no reasonable Objection shall then appear against the same.

Mr. *Taylor* reported, that Mr. *Lawrence* and himself delivered the Bill with them intrusted to the Speaker in Council.

A Message from His Excellency by Mr. D. Secretary *Pettit*.

A MESSAGE to the ASSEMBLY.

Gentlemen,

IT would answer no good Purpose to the Province were I to give my Assent to a Bill for striking One Hundred Thousand Pounds in Bills of Credit, if they were made a legal Tender to the Commissioners of the Loan-Office. The Law would in that Case be precisely the same as the one passed in 1769, which was disallowed by the Crown. The Act of Parliament passed at the last Session, though it permits the issuing such Bills towards defraying Expences incurred for publick Services, and the making them when issued a legal Tender to the Treasury for the Discharge of any Taxes, &c. yet it makes no Alteration in the Act of the 4th of the present Reign with respect to the Emitting of Money upon Loan. If, however, you should think such an Act would be useful to the Publick at this Time, you may (as the neighbouring Colony of *Pennsylvania* did before the Passing of the last Act of Parliament) pass a Bill for the Sum you propose without making it even a Tender to the Loan-Office. The Currency of the Bills will be equally good, and the Security to the Borrowers of their being received by the Commissioners in Discharge of the Mortgages may be made as strong without a Law as with one.—Should you approve of this Expedient, and make proper special Appropriations of Part of the Interest, and the Remainder to be disposed of by future Acts of the Legislature, I shall not refuse it my Assent with such a suspending Clause as you mention.

March 3, 1774.

WM. FRANKLIN.

Which was read.

A Message from the Council by Mr. *Parker*.

COUNCIL-CHAMBER, *March 3, 1774.*

Ordered,

THAT Mr. *Parker* do carry to the House of Assembly the Bill, entitled, *An Act more effectually to prevent the erecting of Lotteries, and selling of Lottery Tickets within this Colony; and also the Bill, entitled, An Act to relieve Sarah Ely, Isaac De Cow and David Brearley,*

Z z

jun.

jun. with Respect to the Loss of two Title Deeds by Fire, with the several Amendments to each of the said Bills, and acquaint them that this House have passed the same as amended, and desire their Concurrence thereto.

CHA. PETTIT, *D. Clerk.*

Ordered,

That the Consideration of the Amendments to the Lottery Bill be deferred.

The Bill *for the Relief of Sarah Ely, Isaac De Cow and David Brearley, jun.* was read with the Amendments in their Places, and, upon the Question, the House agreed to the said Amendments ;

Ordered,

That the said Bill as amended by the Council be re-engrossed.

The House adjourned till Two, *P. M.*

The House met.

The House took into Consideration the Council's Amendments made to the Bill, entitled, *An Act more effectually to prevent the erecting of Lotteries, and selling of Lottery Tickets within this Colony*, and the same being read in their Places, were agreed to by the House;

Ordered,

That the said Bill be re-engrossed with the Council's Amendments.

The Bill Re-engrossed with the Council's Amendments, entitled, *An Act to relieve Sarah Ely, Isaac De Cow and David Brearley, jun. with Respect to the Loss of two Title Deeds by Fire*, was read and compared ;

Ordered,

That Mr. Speaker do sign the same.

Ordered,

That Mr. *Hand* and Mr. *Garritse* do carry the said Bill to the Council.

Mr. *Hand* reported, that Mr. *Garritse* and himself delivered the Bill with them intrusted to Mr. *Smith*, one of the Gentlemen of the Council, the Council not then sitting.

The Bill, entitled, *An Act to authorize the present Treasurer of the Eastern Division to bring an Action against the late Treasurer for the Monies said to be stolen from the Treasury, and for other Purposes therein mentioned*, was read the second Time, amended in the House, and upon the Question agreed to, and ordered to be engrossed.

Mr. *Sheppard* had Leave of Absence during the Remainder of the Session, upon urgent Occasions.

A Message from the Council by Mr. *Lawrence*.

Ordered,

COUNCIL-CHAMBER, March 3, 1774.

THAT Mr. *Lawrence* do carry the Bill, entitled, *An Act to enable the Owners and Possessors of the low Lands, Meadows and Swamps on both Sides of Assunpink Brook, &c.* with the Amendments thereto annexed,

nexed, to the House of Assembly, and desire their Concurrence in the said Amendments.

By Order of the House,

CHA. PETTIT, D. Clerk.

The said Bill being read, with the Amendments in their Places ; on the Question,

Ordered,

That the said Bill as amended be re-engrossed.

Upon Motion made, and Information given to the House, that the Clerk of the Circuits of this Colony has charged in his Bills of Costs, and received travelling Charges at the Rate of 12*s.* per Day unwarranted by Law :

The House thereupon resolved itself into a Committee of the whole House on the said Grievance ; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported, that the Committee had gone through the Matters to them referred, and had come to one Resolution, which he was ready to report whenever the House will please to receive the same ;

Ordered,

That the Report be made immediately :

Whereupon Mr. *Fisher* reported the Resolution as follows, *viz.*

Resolved,

That the Clerk of the Circuits charging and receiving 12*s.* a Day for travelling Charges is, in the Opinion of this Committee, unauthorized by any Law of this Colony, therefore illegal, and a Grievance ; to which the House agreed.

The House resumed the Consideration of the Report from the Committee of the whole House on the Support Bill :

8. To the Clerk of the Circuits for the Time being, residing in this Colony, the Sum of *Twenty Pounds* per Annum, Money aforesaid ; to which the House agreed.

9. To the Doorkeeper of the Council of this Colony, at the Rate of *Ten Pounds* per Annum, Money aforesaid ; to which the House agreed.

10. To his Excellency *William Franklin*, Esq. at the Rate of *Sixty Pounds* per Annum, Money aforesaid, for House Rent, provided he makes *Perth-Amboy* or *Burlington* the Place of his Residence ; to which the House agreed.

11. To any Justice of the Supreme Court of this Colony, for attending the Circuit Courts and Courts of Oyer and Terminer in the Manner prescribed by the said Act, the Sum of *Ten Pounds* for each Time ; to which the House agreed.

12. To each of the Council, for the Time they may attend at any Sitting of General Assembly within the Time, *Six Shillings* per Day.

On the Question, whether the Sum be *Six Shillings* or *Eight Shillings* per Diem ? It was carried for *Six Shillings* as follows, *viz.*

For

For Eight Shillings per Diem.

Mr. Crane,	Mr. Winds,
Mr. Garritse,	Mr. Gibbon,
Mr. Fisher,	Mr. Elmer,
Mr. Roy,	Mr. Van Horne,
Mr. Dey,	Mr. Pettit.
Mr. Demarest,	
Col. Ford,	

For Six Shillings per Diem.

Mr. Combs,	Mr. Sykes,
Mr. Wetherill,	Mr. Hinchman,
Mr. Moores,	Mr. Price,
Mr. Taylor,	Mr. Holme,
Mr. Lawrence,	Mr. Hand,
Mr. Kinsey,	Mr. Eldridge,
Mr. Hewlings,	Mr. Tucker,
Mr. Paxson,	Mr. Mehelm.

13. To *Richard Smith*, one of the Clerks of the House of Representatives, or any other Clerk, for his Attendance, the Sum of *Ten Shillings* per Day, for the Time he hath or shall attend at any Sitting of General Assembly during the Continuance of this Act. Also the Sum of *Four-pence* per Sheet, reckoning Ninety Words to a Sheet, for entering the Minutes of any Sitting during the Continuance of this Act, fair in the Journals, and copying the Laws and Minutes for the Printer; and to the said *Richard Smith* the Sum of £. 25 for Pen, Ink and Paper, and hiring Clerks to forward the Business of this Session; to which the House agreed.

14. To *Charles Pettit*, Esq. Deputy-Secretary, or to the Deputy-Secretary for the Time being, for copying publick Laws to send Home to *England* during the Continuance of this Act, *Four-pence* per Sheet, reckoning Ninety Words to the Sheet, and to the said *Charles Pettit* *Twenty Pounds* for extraordinary Services; to which the House agreed.

15. To each of the Treasurers of this Colony *Six-pence* per *Pound*, for exchanging ragged and torn Bills of Credit of this Colony; to which the House agreed.

16. To *Isaac Collins*; or any other Printer hereafter to be appointed, for Printing the Minutes of the House of Representatives of any Sitting during the Continuance of this Act, and for Printing the Laws passed at any Sitting as aforesaid, or any other Printing, such Sums as *Hendrick Fisher*, *Stephen Crane*, *James Kinsey* and *Thomas Polgreen Hewlings*, Esquires, or any two of them, shall agree to be paid for the said Service; to which the House agreed.

17. To the Sergeant at Arms for the Time being, who shall attend the Council, the Sum of *Three Shillings* per Diem; and to the Sergeant at Arms, who shall attend the House of Representatives, the Sum of *Three Shillings* per Diem; to which the House agreed.

18. To the Doorkeeper of the House of Representatives for the Time being, who shall attend the House in Manner aforesaid, the Sum of *Three Shillings* and *Six-pence* per Diem; to which the House agreed.

19. To his Excellency the Governor, or his Order, any Sum not exceeding £. 1400 to be by him applied for the Repairs and usual Furniture of the Barracks, and the Support of His Majesty's Troops quartered therein.

20. To the Speaker and every of the Members of the House of Representatives for the Time each of them shall attend at any Sitting of General Assembly, during the Continuance of this Act, *Six Shillings* per Diem; on the Question, whether the Sum be *Six Shillings* or *Eight Shillings* per Diem? It was carried for *Six Shillings* as follows, viz.

For

For Six Shillings.

Mr. Combs,	Mr. Sykes,
Mr. Wetberill,	Mr. Hinchman,
Mr. Moores,	Mr. Price,
Mr. Taylor,	Mr. Holme,
Mr. Lawrence,	Mr. Hand,
Mr. Kinsley,	Mr. Eldridge,
Mr. Hewlings,	Mr. Tucker,
Mr. Paxson,	Mr. Mehelm.

For Eight Shillings.

Mr. Crane,	Mr. Winds,
Mr. Garritse,	Mr. Gibbon,
Mr. Fisher,	Mr. Elmer,
Mr. Roy,	Mr. Van Horne,
Mr. Dey,	Mr. Pettit.
Mr. Demarest,	
Col. Ford,	

Ordered,

That the Bill *for Support of Government*, as reported and agreed to, be engrossed.

The House adjourned till Nine o'Clock To-morrow Morning.

Friday, March 4, 1774.

The House met.

The Engrossed Bill, entitled, *An Act to authorize the present Treasurer of the Eastern Division to bring an Action against the late Treasurer for the Monies said to be stolen from the Treasury, and for other Purposes therein mentioned*, was read and compared; on the Question,

Resolved Nem. Con.

That the same do pass.

Ordered,

That Mr. Kinsley and Mr. Hinchman do carry the said Bill to the Council for their Concurrence, and inform them that the Bill passed this House unanimously;

That the House are very desirous to bring the Affair of the Robbery of the Eastern Treasury to some Determination, and for that Purpose have framed a Bill such as they apprehend will effectually answer; but that, as it may be possible the Council may not approve of the whole of the Bill, and as this House are exceedingly unwilling that this Session should be passed over without some Measures being fixed on to bring that Matter to an End, they request the Council would be pleased to bestow their Attention as soon as they can on the Bill, and acquaint the House with their Determination.

A MESSAGE from the Council by Mr. Stockton, acquainting the House, that the Council have passed the Bill, entitled, *An Act for the more speedy Recovery of Legacies in this Province, and for affirming such Acts of Administrators bona Fide done before Notice of a Will*; and likewise the Bill, entitled, *A supplementary Act to an Act, entitled, An Act for the more effectual Discovery and Punishment of the Crime of Horse Stealing*, without any Amendments.

The House adjourned till Two, P. M.

The House met.

Mr. *Kinsey* reported, that Mr. *Hinchman* and himself delivered the Bill and Message with them intrusted to the Speaker in Council.

The House adjourned till Nine o'Clock To-morrow Morning.

Saturday, March 5, 1774.

The House met.

The Bill Re-engrossed with the Council's Amendments, entitled, *An Act more effectually to prevent the erecting of Lotteries, and selling of Lottery Tickets within this Colony*, was read and compared;

Ordered,

That Mr. Speaker do sign the same.

The Bill Re-engrossed with the Council's Amendments, entitled, *An Act to enable the Owners and Possessors of the low Lands, Meadows and Swamps on both Sides of Assunpink Brook, from the Line commonly called George Keith's to the Lands of John Ely, to remove the Obstructions to the free Course of the Waters of the same Brook*, was read and compared;

Ordered,

That Mr. Speaker do sign the same.

Ordered,

That Mr. *Combs* and Mr. *Taylor* do carry those two Bills to the Council.

A MESSAGE from the Council by Mr. *Parker*, desiring the Concurrence of this House to certain Amendments made by the Council to the Bill, entitled, *An Act to oblige the Treasurers of the Colony of New-Jersey to give Security for the due Execution of their Offices, and to prescribe the Mode in which the same Security shall be taken.*

Ordered,

That the Consideration thereof be deferred.

A Message from His Excellency by Mr. D. Secretary *Pettit*.

A MESSAGE to the ASSEMBLY.

Gentlemen,

IN my Message to you respecting the Evidence of *Ford's* being concerned in the Robbery of the Treasury, I mentioned that "*Cooper* had declared, that the *Press* which *Ford* had before he went to England was for one Bill only, and as the *Press* which he had used since his Return, and which had been seized by the Sheriff could not possibly, as it was described to me, print more than one Bill at a Time, I thought this Circumstance gave great Weight to the Supposition that *Ford* had Possession of the Treasury Money," especially as *Reynolds*, *Budd* and *Hains*, as well as *Cooper*, mentioned the seeing *Ford* with Money in Sheets. As I thought it proper to communicate to you every Thing in my Power that had any Relation to that important Affair, or could tend to throw any Light upon it, I ordered the Sheriff of *Morris* to bring down the said *Press* and all the Apparatus for printing Money belonging to *Ford*, which he, the Sheriff, had seized, and were

were then in his Possession. He accordingly brought them down ; and that you may have an Opportunity of inspecting them, and judging for yourselves with Regard to what I said concerning the Press, I have ordered the Secretary to lay them before your House with this Message.

March 5, 1774.

W^m. FRANKLIN.

Which was read, and Mr. D. Secretary laid before the House the Printing Press and Apparatus mentioned in the Message, which were inspected by the Members.

The House, according to Order, resolved itself into a Committee of the whole House on the Bill *for striking £. 100,000 in Bills of Credit* ; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Crane*, Chairman of the Committee, reported, that the Committee had made some further Progress in the Bill, and desired Leave to sit again ;

Ordered,

That the said Committee do sit again.

The House adjourned till Two, P. M.

The House met.

Mr. *Combs* reported, that Mr. *Taylor* and himself delivered the two Bills with them intrusted to the Speaker in Council.

The House took into Consideration the Amendments made by the Council to the Bill, entitled, *An Act to oblige the Treasurers of the Colony of New-Jersey to give Security for the due Execution of their Offices, and to prescribe the Mode in which the same Security shall be taken* ; and the Bill being read with the Amendments in their Places, upon the Question severally put upon the Amendments, the House agreed to the First, Second, Fourth, Sixth, Seventh, Eighth and Tenth, and disagreed to the Third, Fifth and Ninth, and in those Parts adhere to the Bill.

Ordered,

That Mr. *Hewlings* and Mr. *Mehelm* do carry back the said Bill and Amendments to the Council, and acquaint them therewith.

Mr. *Hewlings* reported, that Mr. *Mehelm* and himself delivered the Bill with them intrusted to the Speaker in Council.

The House again, according to Order, resolved itself into a Committee of the whole House on the Bill *for striking One Hundred Thousand Pounds in Bills of Credit* ; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Crane*, Chairman of the Committee, reported, that the Committee had gone through the Bill, and had made sundry Amendments thereto, which he was ready to report whenever the House will please to receive the same.

Ordered,

That the Report be made on Monday next.

The House adjourned till Monday Morning Nine o'Clock.

Monday, March 7, 1774.

The House met.

A

A Message from the Council by Mr. *Stockton*.

COUNCIL-CHAMBER, March 5, 1774.

Ordered,

THAT Mr. *Stockton* do carry the Bill, entitled, *An Act to authorize the present Treasurer of the Eastern Division to bring an Action against the late Treasurer for the Monies said to be stolen from the Treasury, and for other Purposes therein mentioned*, with the Amendments thereto annexed, to the House of Assembly, and desire their Concurrence in the said Amendments.

And that Mr. *Stockton* do inform the Assembly, that this House, ever attentive to what they conceive the true Interests and Constitution of their Country, and equally desirous with the Assembly to bring the Affair of the Robbery of the Eastern Treasury to some Determination, hope that the Assembly (by their unusual Message which accompanied this Bill when sent up to this House) do not mean to convey an Idea, that this House would not bestow as early and sufficient Attention to the Bill as the Importance of it should require, without being thus put in Mind of their Duty.

By Order of the House,

CHA. PETTIT, D. Clerk.

The House taking the said Bill and Amendments into Consideration;

Ordered,

That Mr. *Mehelm* and Mr. *Holme* do carry back the said Bill and Amendments to the Council and inform them, that this House have agreed to all the said Amendments except the 12th, to which they have disagreed, and made an Amendment in these Words, to wit, "*John Wetherill, James Kinsey and Robert Friend Price*," to be inserted in the Place of *Samuel Tucker, Richard Lawrence and John Combs, junior*, and request that the Council will concur with this House in the above Amendment to the Amendment of the Council.

The House adjourned till Two, P. M.

The House met.

Mr. *Mehelm* reported, that Mr. *Holme* and himself delivered the Bill and Amendments with them intrusted to the Speaker in Council.

A Message from the Council by Mr. *Lawrence*.

COUNCIL-CHAMBER, March 7, 1774.

Ordered,

THAT Mr. *Lawrence* do carry the Bill, entitled, *An Act to authorize the present Treasurer of the Eastern Division to bring an Action against the late Treasurer for the Monies said to be stolen from the Treasury, and for other Purposes therein mentioned*, with the Amendments thereto annexed, to the House of Assembly, and acquaint them, that this House agrees

agrees to the Amendment made to the said Amendments by the House of Assembly, as mentioned in their Message of this Day.

And that Mr. *Lawrence* do also carry the Bill, entitled, *An Act to oblige the Treasurers of the Colony of New-Jersey to give Security for the due Execution of their Offices, and to prescribe the Mode in which the same Security shall be taken*, with the Amendments thereto annexed, to the House of Assembly, and acquaint them, that this House does recede from the Fifth of the said Amendments, and as to all the Rest of the said Amendments this House doth adhere to them.

By Order of the House,

CHA. PETTIT, *D. Clerk.*

Ordered,

That the Bill for authorizing the present Treasurer of the Eastern Division to bring an Action against the late Treasurer, be re-engrossed with the Amendments agreed upon by both Houses.

Ordered,

That Mr. *Wetherill*, Mr. *Fisher*, Mr. *Kinsley*, Mr. *Lawrence*, Mr. *Paxson*, Mr. *Price* and Mr. *Hinchman*, be a Committee to meet a Committee of the Council in free Conference on the Subject Matter of the Bill for obliging the Treasurers to give Security, together with the Amendments made to the same by the Council.

Ordered,

That Mr. *Combs* and Mr. *Hand* do acquaint the Council thereof, and desire them to appoint a Committee of their House accordingly, together with the Time and Place of Meeting.

Mr. *Combs* reported, that Mr. *Hand* and himself delivered the Message of the House with them intrusted to the Speaker in Council.

Mr. *Crane*, from the Committee of the whole House on the Bill entitled, *An Act for striking One Hundred Thousand Pounds in Bills of Credit, and directing the Mode for sinking the same*, according to Order, reported the said Bill with the Amendments; and the Bill being read with the Amendments in their Places, on the Question,

Ordered,

That the said Bill as amended be engrossed.

A Message from the Council by Mr. *Parker*.

COUNCIL-CHAMBER, March 7, 1774.

Ordered,

THAT Mr. *Stockton*, Mr. *Coxe* and Mr. *Lawrence*, or any two of them, be a Committee to meet a Committee of the House of Assembly in a free Conference on the Subject of the Bill, entitled, *An Act to oblige the Treasurers of the Colony of New-Jersey to give Security for the due Execution of their Offices, and to prescribe the Mode in which the same Security shall be taken*, together with the Amendments made thereto by this House; at which Conference Mr. Speaker is requested to assist the Committee of this House.

Ordered,

That Mr. Parker do acquaint the House of Assembly therewith, and that the said Committees are to meet at the House of *Joseph Haight* at Six o'Clock this Evening.

By Order of the House,

CHA. PETTIT, D. Clerk.

The House adjourned till Ten o'Clock To-morrow Morning.

Tuesday, March 8, 1774.

The House met.

The Bill Re-engrossed, with the Amendments agreed upon by the Council and House of Representatives, entitled, *An Act to authorize the present Treasurer of the Eastern Division to bring an Action against the late*

DR. JOSEPH HOLLINSHEAD, Esq. Muster—

To the Amount of Cash received of S. Smith, Esq. Treasurer, from April 18th 1758, until May 15th 1759, as per Treasurer's Account, ————

£. 17,721 7 0

£. 17,721 7 0

DR. JOSEPH HOLLINSHEAD, Esq. one of the Barrack—

To Balance due the Province on his Account as Muster-Master, ————

£. 136 15 6

To Cash received of S. Smith, Esq. Treasurer, ————

100

To 33½ Cord Wood, at 12s. ————

20

To Balance due Mr. Hollinshead, ————

24

£. 281 5 8

late Treasurer of the said Division, for the Sum of Six Thousand Five Hundred and Seventy Pounds Nine Shillings and Four-pence, for which the said late Treasurer claims Allowance in his Accounts, alledging the same to have been stolen from the Treasury, and for other Purposes therein mentioned, having been read and compared ;

Ordered,

That Mr. Speaker do sign the same.

Ordered,

That Mr. Dey and Mr. Taylor do carry the said Bill to the Council.

The House adjourned till Two, P. M.

The House met.

Mr. Dey reported, that Mr. Taylor and himself delivered the Bill with them intrusted to the Speaker in Council.

Mr. Fisher, from the Committee appointed to settle publick Accounts, made the following Reports ; to which the House agreed, viz.

Master, to the Province of NEW-JERSEY, CR.

1774,

By the Amount of fundry Vouchers from the Year 1758 to this Date, examined and allowed, ————	£. 17,001	2	2
By Cash paid S. Smith, Treasurer, ————	453	15	4
By Ditto paid ditto, ————	129	14	
By Balance due the Province, ————	136	15	6
	£. 17,721	7	0

Masters, to the Province of NEW-JERSEY, CONTRA CR.

By Sundries as per Account, examined and allowed, ————	£. 142	10	4
By Balance due him on his Barrack Account in the Year 1758, as settled with him and Mr. Hartshorne, ————	58	15	4
By his Salary as Barrack-Master for eight Years, at £. 10 per Annum, ————	80		
	£. 281	5	8

THE Committee for publick Accounts having examined the Accounts of Joseph Hollinshead, Esq. as one of the Muster-Masters for the Colony from the Year 1758, taking in an Account reported September 25th 1762, by John Ogden, John Hart and John Lawrence, Esqrs. in which a Mistake was alledged by Mr. Hollinshead, and which we apprehend was the Case. On the whole, your Committee find a Balance due to the Province of £. 136 : 15 : 6, which we charge to Mr. Hollinshead's Account as Barrack-Master ; and on Settlement of his said Account as Barrack-Master, your Committee find a Balance due to Mr. Hollinshead of £. 24 : 10 : 2, which we refer to the Committee on the Lottery Accounts, to be credited in his Lottery Account.

All which is submitted to the House by

Errors excepted, March 8, 1774.

HENDRICK FISHER,
SAMUEL TUCKER,
JOHN MEHELM,
ROBERT FRIEND PRICE.

The

The House adjourned till Ten o'Clock To-morrow Morning.

Wednesday, March 9, 1774.

The House met.

The Engrossed Bill, entitled, *An Act for the Support of Government of His Majesty's Colony of New-Jersey, to commence the first Day of October One Thousand Seven Hundred and Seventy-three, and to end the first Day of October One Thousand Seven Hundred and Seventy-four, and to discharge the publick Debts and contingent Charges thereof*, was read and compared,

Resolved Nem. Con.

That the same do pass.

Ordered,

That Mr. *Fisher*, Mr. *Wetherill*, Mr. *Crane*, Mr. *Paxson*, Col. *Ford*, Mr. *Dey* and Mr. *Garritse* do carry the said Bill to the Council for Concurrence.

Mr. *Fisher* reported, that the other Gentlemen and himself, according to Order, delivered the Support Bill to the Speaker in Council.

On Motion made,

Ordered,

That Mr. *Kinsley* and Mr. *Mebelm* do wait on his Excellency and inform him,

That this House have received a Message from the Council, informing them, that the Bill, entitled, *An Act to authorize the present Treasurer of the Eastern Division to bring an Action against the late Treasurer of the said Division, for the Sum of Six Thousand Five Hundred and Seventy Pounds Nine Shillings and Four-pence, for which the said late Treasurer claims Allowance in his Accounts, alledging the same to have been stolen from the Treasury, and for other Purposes therein mentioned*, has passed that House, and therefore do request that his Excellency will be pleased to inform this House, whether he will give his Assent thereto or not, in order if the last should be the Case, they may endeavour to fall on some other Expedient to effect the final Settlement of that Affair, or make Provision to prosecute the Suit pointed out by his Excellency in his Answer of the 14th of *February* last past to a Message of this House.

Mr. *Kinsley* reported, that Mr. *Mebelm* and himself delivered the Message of the House with them intrusted to his Excellency, who was pleased to say, the House should hear from him.

The House adjourned till Two, P. M.

The House met.

The Engrossed Bill, entitled, *An Act for striking One Hundred Thousand Pounds in Bills of Credit, and directing the Mode for sinking the same*, was read and compared; on the Question,

Resolved,

That the same do pass.

Yeas.

Yeas.	Yeas.	Yeas.	Nays.
Mr. Combs,	Mr. Fisher,	Mr. Tucker,	Mr. Kinsey,
Mr. Wetherill,	Mr. Dey,	Mr. Mehelm,	Mr. Sykes,
Mr. Moores,	Mr. Demarest,	Mr. Elmer,	Mr. Hinchman,
Mr. Taylor,	Col. Ford,	Mr. Van Horne,	Mr. Price,
Mr. Lawrence,	Mr. Winds,	Mr. Pettit.	Mr. Holme,
Mr. Crane,	Mr. Hewlings,		Mr. Hand,
Mr. Garritse,	Mr. Paxson,		Mr. Eldridge.

Ordered,

That Mr. *Tucker* and Mr. *Elmer* do carry the said Bill to the Council for Concurrence.

Three Petitions were presented to the House from different Parts of the County of *Monmouth*, setting forth Reasons against the Bill for the more equitable Manumission of Slaves ; which Petitions being read,

Ordered,

That the same be referred to the next Session.

Mr. *Tucker* reported, that Mr. *Elmer* and himself delivered the Bill with them intrusted to the Speaker in Council.

Mr. *Fisher*, from the Committee on publick Accounts, made the following Reports ; to which the House agreed, *viz.*

DR. JOHN BARKER in Account with the Province of NEW-JERSEY, CR.

1773.	By Amount of his Account against the Province for Materials found and Work done to the House in which the Assembly now sits	—	£. 7 6 3½
Nov. 17.			

DR. JOHN CARTY in Account with the Province of NEW-JERSEY. CR.

1773.	By Amount of his Charge for carrying the Circu- lar Letters	—	£. 20 0 0
Nov.			

DR. DANIEL BACON in Account with the Province of NEW-JERSEY, CR.

1774.	By Amount of his Account for Andirons, &c. for the Use of the House of Assembly	—	£. 1 12 5
Feb. 20.			

DR. HENRY WRITER in Account with the Province of NEW-JERSEY, CR.

1774, Feb.	By Amount of his Account for Whitewashing the House of Assembly, &c.	X £. 0 14 8
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WE, the Committee appointed to settle publick Accounts, Report, that we have examined the above Accounts, and do allow the same.

Burlington, Feb. 23, 1774.

HENDRICK FISHER,
ROBERT FRIEND PRICE,
THOMAS P. HEWLINGS.

CORTLAND SKINNER, Esq. to the Province of NEW-JERSEY,
DR. CONTRA CR.

By his Account of Cash paid Expresles from Morris to Philadel- phia and elsewhere, respecting the Money Coiners and Counter- feuters	£. 14 8 4
By Ditto paid for the People proposed to be sent after Ford, &c.	16 6 7
By Ditto paid for post- age of Letters from the Colonies,	1 10 9
	£. 32 5 8

Mr. JOSEPH BORDEN, to the Province of NEW-JERSEY,

DR. CONTRA CR.

1774, Feb. 19. To the Amount of 20 Shirts, 48 pair Ticken Drawers, 39 Blankets fold at Vendue, per Or- der of the former House as per Account	£. 21 10 5	1774, Feb. 19. By Benjamin Levy of the aforesaid Goods lost by said Levy proving Insolvent,	£. 6 7 0
	£. 21 10 5	By Balance due to the Province,	15 3 5
			£. 21 10 5

DR. DANIEL ELLIS, Esq. late Barrack-Master, CONTRA CR.

1774, Feb. 19. To Cash received of the Overseer of the Poor of Burlington for six Months Rent of the Hospital,	£. 2 0 0	1774, Feb. 19. By the Amount of his Account in full to this Day	£. 9 8 1
To Balance due Da- niel Ellis, Esq.	7 8 1		
	£. 9 8 1		£. 9 8 1

DR.

JONATHAN DEARE, to the Province of NEW-JERSEY,
DR. CONTRA CR.

By Cash paid for Fares of the Assembly Chest and Ferriages, from <i>August</i> 1770, charged to him by <i>Butler</i> , for which he says he has his Re- ceipt	£. 0 17 8
By Cash paid for a new Chest,	0 19 11
	£. 1 17 7

DR. JAMES KINSEY, Esq. CONTRA CR.

By Cash paid for Shovel, Tongs, Baiz, and six Chairs,	£. 4 8 0
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WE, the Committee for settling publick Accounts, do Report, that we have examined the above Accounts, and do allow the same.

March 9, 1774.

HENDRICK FISHER,
JOHN MEHELM,
ROBERT FRIEND PRICE,
THOMAS P. HEWLINGS.

The House adjourned till Nine o'Clock To-morrow Morning.

Thursday, March 10, 1774.

The House met.

The Bill, entitled, *An Act appointing Commissioners for laying out, making and keeping in Repair certain Roads to and from Paulus-Hook, in the County of Bergen*, was read the second Time; on the Question,
Ordered,

That the same do lie on the Table.

The several Petitions for and against removing the Eastern Treasurer from his Office, were, according to Order, read the second Time.

The House adjourned till Two, P. M.

The House met.

A Message from His Excellency by Mr. D. Secretary *Pettit*.

A MESSAGE to the ASSEMBLY.

Gentlemen,

IN a Message which I received from you at the last Session you informed me that "the Members of your House would in their several Counties countenance the taking the Lists of the Inhabitants, as proposed by me, at the Time of the next Assessment." Whether this has

has been done I know not, but I have not as yet been able to get complete Returns from several of the Counties. An Account of such as I have I now lay before you, and I doubt not but you will think with me that it might be of publick Service in several Respects were the Legislature furnished with such Returns annually, or at least once in five Years. However, as I have lately received a Letter from the Right Honourable the Earl of *Dartmouth*, one of His Majesty's principal Secretaries of State, informing me that it is His Majesty's Orders that I transmit him an Account of the Number of Inhabitants Whites and Blacks, within this Colony, I must request that you would enable me to procure such an Account as soon as possible. This has been already done by the Assemblies in several of the Colonies, and I hope you will not let this Session pass over without making some proper Provision for the Purpose.

March 10, 1774.

W^m. FRANKLIN.

And Mr. D. Secretary laid before the House the Returns mentioned in the Message, which Message and Returns were read.

The House adjourned till Ten o'Clock To-morrow Morning.

Friday, March 11, 1774.

The House met.

A Message from His Excellency by Mr. D. Secretary *Pettit*.

A MESSAGE to the ASSEMBLY.

Gentlemen,

AS I have a standing Instruction which requires me not to pass or give my Consent to any Bill or Bills of an unusual or extraordinary Nature and Importance wherein the Property of the King's Subjects may be prejudiced, without a suspending Clause; and it being suggested that the Bill mentioned in your Message of Yesterday might possibly be injurious to the private Interest of Mr. *Skinner*, I thought it proper to send for and interrogate him in Council respecting that Point, assuring him at the same Time, that if he had such Apprehension, and could offer any well founded Objection to such a Law, he might rely on having the Benefit of the said Instruction. He answered, that he had the fullest Confidence in the Justice of the several Branches of the Legislature that they would not knowingly pass any Law which could do him an Injury; but as, in the present Case, his only Wish was to have the Merits of his Cause fairly tried, and as, from any thing that had occurred to him, or from any Advice he had received from his Council, he had no Reason to apprehend the said Bill would be anyway injurious to him, he had no Objection to it's being passed into a Law.

I am therefore to inform you, that although I am not convinced of the Necessity of such a Bill as you have passed for authorizing the present Treasurer of the Eastern Division to bring an Action against the late
Treasurer,

Treasurer, so far as it respects the Mode of instituting the Suit, yet as the Bill seems a desirable Object with your House—has met with the Concurrence of the Council—and, for aught I know, may answer the Purpose of doing Justice between the Publick and the late Treasurer, as well as any other Mode, I shall not refuse it my Assent.

March 10, 1774.

WM. FRANKLIN.

Which was read.

Ordered,

That the Committee of Correspondence do write to the Agent of this Colony, directing him to solicit the Royal Approbation to the Act of Assembly for Septennial Elections, and to all the publick Bills passed this Session.

A Message from the Council by Mr. Stockton.

COUNCIL-CHAMBER, March 11, 1774.

Ordered

THAT Mr. Stockton do acquaint the House of Assembly that the Bill, entitled, *An Act for the Support of Government of His Majesty's Colony of New-Jersey, &c.*

And the Bill, entitled, *An Act for striking One Hundred Thousand Pounds in Bills of Credit, and directing the Mode for sinking the same,* are both passed by this House without any Amendment.

By Order of the House,

CHA. PETTIT, D. Clerk.

The Bill, entitled, *An Act for defraying Incidental Charges,* was read the second Time, agreed to by the House, and ordered to be engrossed.

Mr. Wetherill, from the Committee appointed to meet a Committee of the Council in free Conference on the Subject Matter of the Bill for obliging the Treasurers to give Security, together with the Amendments made to the same by the Council, reported, that they had conferred with the Committee of the Council accordingly, and had agreed to several of the said Amendments, and that the Committee of the Council had receded from several, which he begged Leave to report to the House; and the said Report being made, the Bill was read with the Amendments in their Places, and the same being agreed to by the House,

Ordered,

That the said Bill as amended be re-engrossed.

The Bill Re-engrossed with the Amendments agreed upon by both Houses, entitled, *An Act to oblige the Treasurers of the Colony of New-Jersey to give Security for the due Execution of their Offices, and to prescribe the Mode in which the same Security shall be taken,* was read and compared;

Ordered,

That Mr. Speaker do sign the same.

Ordered,

That Mr. *Sykes* and Mr. *Pettit* do carry the said Bill to the Council.

The House adjourned till Two, P. M.

The House met.

Mr. *Sykes* reported, that Mr. *Pettit* and himself delivered the Bill with them intrusted to Mr. *Stockton*, one of the Gentlemen of the Council, the Council not then sitting.

Ordered,

That no Person or Persons whatsoever, do print and publish the Minutes or Proceedings of this House, except the Printer appointed for that Purpose by Order of the House; and that he do not publish them in Parts or Extracts, but by express Order of the House.

The Engrossed Bill, entitled, *An Act for defraying Incidental Charges*, was read and compared; on the Question,

Resolved,

That the same do pass.

Ordered,

That Mr. *Winds* and Mr. *Hand* do carry the said Bill to the Council for Concurrence.

Mr. *Winds* reported, that Mr. *Hand* and himself delivered the Bill with them intrusted to the Speaker in Council.

A MESSAGE from the Council by Mr. *Parker*, informing the House, that the Council have passed the Bill, entitled, *An Act for defraying Incidental Charges*, without any Amendment.

On Motion made,

Isaac Collins, Printer, and *Thomas Powell* were sent for, and examined before the House, relative to the Mode of printing Bills of Credit;

Ordered,

That the said Examinations be entered on the Journals of this House, and the same are as follows, viz.

ISAAC COLLINS—He has seen the Press and Apparatus that *Ford* used, and he thinks that no more than one Bill could be printed at one Time—He thinks he could not print Bills in whole Sheets—*He thinks he could print four Bills on one Piece of Paper with that Press*—He thinks he could print four Bills on one Piece of Paper with most Advantage—That if he, this Examinant, had the Press, he should print as many Bills as he could on a Piece of Paper without separating the Bills—That he could print four Bills of different Denominations (but not at one Time) with the Press, by shifting the Press—and to do this he should strike a Hundred of one Denomination first, and then go to a second, taking out the first Bill.——He saw the Types and Press when before the Council, and that there appeared to be Types enough to print all the Bills of this and the neighbouring Colonies; but believes there were not Ornaments sufficient to print all the Denominations—To his Knowledge there were not Ornaments for a

£. 3 Bill—He did not look at the Types, &c. shewn him so as to form any accurate Judgment, whether there were or were not Ornaments for Bills of £. 3—He does not understand printing with a Copper-Plate—He saw a Copper-Plate containing the Engraving for Half of a Three Pound Bill, which he thinks could never have been used, being so ill done, that he, this Examinant, could take no good impression of it.—The Ornaments he saw were chiefly for *Pennsylvania* Bills, the Residue Ornaments for Bills of *New-Jersey*—He thinks the Ornaments would not do for *Jersey* Three Pound Bills—He thinks the Ornaments for *Jersey* Bills were chiefly for 30s. Bills.—The Paper used for printing Money is not easily to be had.

T H O M A S P O W E L L—He has seen some Plates—Part of a Plate for a Three Pound Bill, he thinks rather more than Half of a Bill—The other Plates seem rather to have been some Attempts to learn to engrave—But none of the *Plates* were so polished as to be capable of being used—He saw two Sage Leaves, but if they had been used they would have made an Impression directly the Reverse to what they are on the true Bills.—Some of the Plates had Scrolls on them, which seemed something like the Ornaments of *Pennsylvania* Bills—He says none of the Plates and Scrolls could have printed a whole Bill at all—That if you use a Copper-Plate to print a single Bill, the Paper must be first damped, then used for one Bill—If a second was to be stamped on the same Paper, it must be wet or damped again—and so as often as used—

Ordered,

That Mr. *Dey* and Mr. *Combs* do go to the Council and desire to be informed, whether they have any further Business before them, if not, that this House proposes to apply to his Excellency for a Dismissal.

Mr. *Dey* reported, that Mr. *Combs* and himself performed the Order of the House accordingly, and that the Council said, this House should hear from them.

A MESSAGE from the Council by Mr. *Stockton*, informing the House, that the Council have gone through the publick Business before them.

Resolved,

That this House will, at the next Session, make Provision for paying all necessary Charges in taking the Lists from the several Counties, as recommended in his Excellency's Message of Yesterday.

Ordered,

That Mr. *Fisher* and Mr. *Wetherill* do wait on his Excellency and inform him, that the House have gone through the Business before them, and are desirous of a Dismissal.

Mr. *Fisher* reported, that Mr. *Wetherill* and himself waited on his Excellency accordingly, who was pleased to say, the House should hear from him.

A Message from his Excellency by Mr. D. Secretary Pettit.

MR. Speaker, his Excellency requires the Attendance of this House in the Council-Chamber immediately :

Whereupon Mr. Speaker left the Chair, and with the House went to wait upon his Excellency, who was pleased to give his Assent to the following Bills, Enacting the same, viz.

1. *An Act for the Support of Government of His Majesty's Colony of New-Jersey, to commence the first Day of October One Thousand Seven Hundred and Seventy-three, and to end the first Day of October One Thousand Seven Hundred and Seventy-four, and to discharge the publick Debts and contingent Charges thereof.*

2. *An Act for defraying Incidental Charges.*

3. *An Act for regulating Roads and Bridges.*

4. *An Act for the Settlement and Relief of the Poor.*

5. *An Act for striking One Hundred Thousand Pounds in Bills of Credit, and directing the Mode for sinking the same.*

6. *An Act more effectually to punish the Counterfeiters of foreign Gold or Silver Coin current within the Colony of New-Jersey, and the Utterers thereof, knowing the same to be Counterfeit.*

7. *An Act for lowering the Interest of Money to Six per Cent within this Colony.*

8. *An Act for the more speedy Recovery of Legacies in this Province, and for affirming such Acts of Administrators bona Fide done before Notice of a Will.*

9. *A supplementary Act to an Act, entitled, An Act for the more effectual Discovery and Punishment of the Crime of Horse Stealing.*

10. *An Act for the better preserving of Oysters in the Colony of New-Jersey.*

11. *An Act more effectually to prevent the erecting of Lotteries, and selling of Lottery Tickets within this Colony.*

12. *An Act to oblige the Treasurers of the Colony of New-Jersey to give Security for the due Execution of their Offices, and to prescribe the Mode in which the same Security shall be taken.*

13. *An Act to authorize the present Treasurer of the Eastern Division to bring an Action against the late Treasurer of the said Division, for the Sum of Six Thousand Five Hundred and Seventy Pounds Nine Shillings and Four-pence, for which the said late Treasurer claims Allowance in his Accounts, alledging the same to have been stolen from the Treasury, and for other Purposes therein mentioned.*

14. *An Act to regulate the Packing of Beef and Pork, and to ascertain the Size of Casks.*

15. *An Act to postpone the Payment of the Provincial Taxes into the Treasury of this Colony for One Month, and for other Purposes therein mentioned.*

16. *A supplementary Act to an Act, entitled, An Act for the regulating Fences.*

17. *An Act for rebuilding, repairing and maintaining the Drawbridge over Crosswicks Creek, in the County of Burlington, and for repairing the Causeways adjoining said Bridge.*

18. *An*

18. *An Act to revive Part of an Act, entitled, An Act to empower the Inhabitants of the Townships of Bridgwater and Bedminster in the County of Somerset, to repair their publick Highways by Hire, and to raise Money for that Purpose.*

19. *An Act for erecting a convenient Gaol in the County of Cape-May, and to authorize the rebuilding and repairing of the Court-House or Gaol of that County at any Time hereafter.*

20. *An Act to repair and amend the publick Roads and Streets in the Northern Ward of the City of Perth-Amboy, and to repair the Town Wharf in the said City, by a Tax on the Inhabitants of the said Northern Ward, and for other Uses and Purposes therein mentioned.*

21. *An Act to empower the Inhabitants of the Townships of Elsinborough, Pilesgrove and Pittsgrove in the County of Salem, to repair their publick Highways by Hire, and to raise Money for that Purpose.*

22. *An Act to enable sundry of the Owners and Possessors of Meadows and Tide Marsh lying on Mason's Creek, in the Township of Evelham, and County of Burlington, to erect and maintain a Bank, Dam and other Waterworks across the said Creek, in order to prevent the Tide from overflowing the same.*

23. *An Act to enable the Owners and Possessors of the low Lands, Meadows and Swamps on both Sides of Allsunpink Brook, from the Line commonly called George Keith's to the Lands of John Ely, to remove the Obstructions to the free Course of the Waters of the same Brook.*

24. *An Act to enable the Owners and Possessors of a Tract of Marsh and Meadow in Lower-Penn's Neck, in the County of Salem, to uphold and maintain a certain Bank for draining the said Marsh, and for other Purposes therein mentioned.*

25. *An Act to enable the Owners and Possessors of a Tract of Marsh and Swamp in Upper-Penn's Neck, in the County of Salem, to erect and maintain a Bank, Dam and other Waterworks, in order to prevent the Tide from overflowing the same.*

26. *An Act for erecting a Dam, Mills and other Waterworks on Nacut Creek, in the County of Gloucester, and to indemnify those whose Property may be injured thereby.*

27. *An Act to enable sundry of the Owners and Possessors of Meadows and Tide Marsh lying on English's Creek in the County of Burlington, to erect and maintain a Bank, Dam and other Waterworks across the said Creek, in order to prevent the Tide from overflowing the same, and to keep the former Course of said Creek open and clear, and make the said Dam when erected a publick Landing.*

28. *An Act to enable the Owners and Possessors of the Meadows and Marsh adjoining Rapaupa Creek, in the County of Gloucester, to erect, cast up, repair and maintain a Dam and Bank and Waterworks sufficient to prevent the Tide from overflowing the same.*

29. *An Act to enable the Owners and Possessors of Marshes, Meadows and Swamps bounding on the Southwest Side of Raccoon Creek, between the Banks of Constantine Wilkins and Conrad Shoemaker, in the Township of Woolwich, and County of Gloucester, known by the Name of the Thoroughfare Island Marshes, Meadows and Swamps, to stop out the Tide from overflowing the same, and for other Purposes therein mentioned.*

30. An Act to enable sundry Persons Proprietors and Possessors of certain Lands and Meadows lying upon the Walkill in the County of Suffex, commonly called and known by the Name of the Drowned Lands, to drain the same, and for other Purposes therein mentioned.

31. An Act to relieve Sarah Ely, Isaac De Cow and David Brearley, jun. with Respect to the Loss of two Title Deeds by Fire.

32. An Act to suspend the Prosecution of the County Collector of Cape-May for a limited Time.

33. An Act for the Relief of Abner Hetfield, an Insolvent Debtor.

And then his Excellency was pleased to make the following Speech to this House, viz.

GENTLEMEN of the ASSEMBLY,

I HAVE now given my Assent to all the Bills which have passed the two Houses, except the two Naturalization Bills which were inconsistent with a late Royal Instruction. Some of them are not altogether conformable to my own Judgment, yet as you were anxious to obtain them, and as they might possibly answer the good Purposes you seemed to have in View, I would not refuse them my Assent. In doing this, and suppressing my Remarks on a Report of your House containing unjust Insinuations (whether intended or not I will not say) respecting the Conduct of some of the Officers of Government, I think I have fully manifested a Disposition to cultivate that Harmony which is so essential to the publick Welfare. I shall therefore hope that, if we should ever meet again in Legislation, nothing will be wanting on your Parts to promote the same desirable Purpose.----I heartily wish you safe to your respective Homes, and by Virtue of the Powers to me given, I do prorogue you to *Wednesday* the Twentieth Day of *April* next, then to meet at *Perth-Amboy*, and you are accordingly prorogued.

BY VIRTUE of an ORDER of the HOUSE of REPRESENTATIVES at *Perth-Amboy* in 1772, I do appoint *Isaac Collins* to print these Votes.

CORTLAND SKINNER, *Speaker*.

C O P Y

C O P Y

Of the B I L L ordered to be printed with the VOTES,

E N T I T L E D,

An Act for the more equitable Manumission of Slaves, and other Purposes concerning them.

1. **W** H E R E A S the Laws of this Colony respecting the Manumission of Slaves are by Experience found to be too indiscriminate in the Mode prescribed for setting them at Liberty, requiring equal Security upon the Freedom of all, which, in some Instances, may prevent the Exercise of Humanity and Tenderness in the Emancipation of those who may deserve it; for Remedy whereof, and for other Purposes herein after mentioned respecting them, We, the House of Representatives, do pray that it may be enacted;

AND BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby enacted by the Authority of the same,* That, from and after the Publication of this Act, it shall and may be lawful for any Master or Mistress of a Negro or Mulatto Slave, of the Age of Twenty-one Years or upwards, or for any other Person duly authorized thereto, under the Hand and Seal of such Master or Mistress, to appear with such Negro or Mulatto Slave before the Court of General Quarter Sessions of the Peace, or any two Justices of the Peace of the County or City, and the two chosen Freeholders, and the two Overseers of the Poor of the City or Township where the said Master or Mistress shall reside, and submit such Negro or Mulatto to their View and Examination; and if the said Court, or Justices and Freeholders and Overseers, or any four of them, shall declare that the said Negro or Mulatto Slave does not appear to be unsound in Mind, or under any bodily Incapacity of supporting him or herself, such Person, so appearing with the said Slave, may declare that he or she does then and there Release and set at Liberty the said Negro or Mulatto Slave; which Declaration shall operate as a complete Manumission, and fully Discharge such Negro or Mulatto Slave from his or her Master or Mistress, any Law to the contrary notwithstanding.

2. AND in case such Negro or Mulatto Slave shall exceed the Age of Twenty-one Years, and the Master or Mistress hath received the Benefit of his or her Labour, (as the Risk of the Publick is by advanced Years proportionably increased) it is but just and reasonable that such Master or Mistress should pay a Sum of Money proportioned thereto, or indemnify the City, Township or Precinct against such Risk; BE IT THERE-

FORE

FORE ENACTED *by the Authority aforesaid*, That before the Manumission of such Negro or Mulatto Slave shall be certified by the Court, or Justices and Freeholders and Overseers of the Poor, or any four of them, before whom the same shall be declared, that the said Master or Mistress shall pay into the Hands of the Overseers of the Poor of the City, Township or Precinct where he or she resides, the Sum of *Twenty Shillings*, Proclamation Money, for every Year which the said Court, or Justices and Freeholders and Overseers of the Poor, or any three of them, shall adjudge such Slave exceeds the said Age; which Sum shall be carefully entered by the said Overseers, or one of them, in the Poor's Book, in the Presence of the said Judicature, or a Receipt and Certificate of such Entry and Payment be produced under the Hand of them, and may be applied to support the Poor of such City, Township or Precinct; and the Court or Justices and Freeholders and Overseers of the Poor, shall express the Payment thereof in the Certificate hereafter mentioned, which they shall give the said Negro or Mulatto. PROVIDED ALWAYS, That if the said Master or Mistress shall prefer giving Security to indemnify the Publick, it shall and may be lawful for the said Court, or Justices and Freeholders and Overseers of the Poor, or any four of them, to accept, in Lieu of such Payment, a Bond to be entered into by the said Master or Mistress, with one or more sufficient Sureties, unto our Lord the King, his Heirs and Successors, in four Times the Sum, which in such Case, by Virtue of this Section, would have been immediately payable, CONDITIONED to secure and indemnify the City, Township or Precinct in which he or she resided at the Time of the Manumission, from any Charge or Incumbrance such Slave may or shall bring on the same, in case he or she may or shall be rendered incapable of supporting him or herself; which Bond shall be filed and remain with the Clerk of the Peace of the said County: For which Services the Overseer or Overseers of the Poor attending, may receive the Sum of *Two Shillings*; the Court or Justices and Freeholders, for drawing the Bond, *Two Shillings* and *Six-pence*; and the Clerk of the County, for filing the same in his Office, *Six-pence*, and no more.

3. AND, the better to establish and perpetuate such Manumission, BE IT FURTHER ENACTED, That the Court or Justices and Freeholders, or any three of them before whom the same shall be pronounced, shall give a short Certificate thereof to such Negro or other Slave in the Words, or to the effect following, *to wit*.

“ ff. WE do hereby certify that on this
 “ Day of in the Year of, &c. A B of, &c.
 “ brought before us, his or her Slave named C.
 “ who, on View and Examination not appearing to be unsound in
 “ Mind, or under any bodily Incapacity of obtaining a Support, and
 “ about the Age of Years; and did then and there Re-
 “ lease and set at Liberty the said Slave, *having first paid*
into the Hands of the Overseers of the Poor of the said Township, the Sum
 “ of *being the Sum due by Law upon such Manumission,*” or “ *having*
 “ *given*

“ *given the Bond and Security to Indemnify the said Township required by Law.* IN TESTIMONY whereof we have hereto set our Hands and “ *Seals, the Day and Year above written ;*” which Certificate shall be delivered to the Clerk of the Peace of the said County, who is hereby authorized and required to record the same in a Book to be provided for the Purpose, endorsing the Certificate with the Place where recorded in the usual Form, and shall then be delivered to such Negro or Mulatto to whom it belongs. And the said Court, or Justices and Freeholders and Overseers of the Poor, shall be entitled to receive, for the Examination and Certificate *Twelve Shillings*, and the Clerk of the Peace for recording and endorsing the same the Sum of *Two Shillings*, and no more.

4. AND BE IT ENACTED, That whenever any Person shall by Last Will and Testament manumit his or her Negro or Mulatto Slave, the Executor or Executors of such Testament shall, within three Months after such Manumission, take the said Negro or Mulatto Slave before the Court, or Justices and Freeholders and Overseers of the Poor aforesaid, that it may appear to them the said Negro or Mulatto Slave is not unsound in Mind, or under any bodily Incapacity of obtaining a Support; and, in order to pay the Sum, or enter into the Bond directed by the Third Section of this Law, in case such Slave shall be above the Age of Twenty-one Years, until which is done, the said Manumission shall not discharge the Estate of the deceased from supporting such Slave, if he or she should in future need it.—All which when done, the said Court, or Justices and Freeholders and Overseers of the Poor, or any four of them, shall briefly set forth in their Certificate. PROVIDED ALWAYS, That the Benefit of this Act shall not be extended or make valid any Manumission made by any Master or Mistress not able to pay their Debts, with a Design to defraud their Creditors.

5. AND BE IT FURTHER ENACTED *by the Authority aforesaid*, That every Negro or Mulatto Slave, manumitted by Virtue of this Act, shall always be deemed to have a legal Settlement in the City, Township or Precinct in which his or her Master or Mistress resided at the Time of such Manumission ; and shall be subject to the Payment of all Taxes and Performance of all Duties as other Inhabitants are.

6. AND BE IT ENACTED *by the Authority aforesaid*, That any Minister, Pastor, Magistrate, or other Person who shall, on any Pretence whatever, grant a License to or join in Marriage any Negro or Mulatto with any white Person, shall on Conviction for every such Offence forfeit and pay to the Use of the Poor of the City, Township or Precinct where the Offence shall be committed, the Sum of *One Hundred Pounds*, Proclamation Money, to be sued for and recovered by the Overseers of the Poor of the said City, Township or Precinct, by Action of Debt, in any proper Court, with Costs of Suit.

7. AND BE IT FURTHER ENACTED, That if any free Negro or
 3 F Mulatto

Mulatto shall harbour or entertain in his or her House any white Servant or Slave without the License and Consent of his or her respective Master or Mistress, he or she shall forfeit and pay the Sum of *Five Shillings* for the first Hour, and *One Shilling* for every Hour afterwards the said Servant or Slave shall be so entertained; to be recovered in an Action of Debt, with Costs of Suit, by the Master or Mistress only, in any Court where cognizable; and if the Defendant should be unable or unwilling to pay the same, he or she may be whipped with any Number of Lashes not exceeding Thirty-nine, at the Discretion of the Justice.

8. AND, in order the better to prevent free Negroes and Mulattoes from running in Debt, and to excite them to a Performance of their Contracts, as well as to an industrious, innocent Behaviour at all Times; BE IT FURTHER ENACTED, That it shall and may be lawful to and for two Justices and Freeholders, resident as aforesaid, or any two of them, whenever any free Negro or Mulatto shall be confined for want of Effects to pay the same, to notify by Advertisements, set up at proper Places, all the Creditors of such Negro or Mulatto to appear at a certain Time and Place to give in their Debts against such Negro or Mulatto, at which Time and Place the said Negro or Mulatto shall be present to dispute unjust Demands, which the said Justice and Freeholder may determine; and the Sheriff or Gaoler shall also attend to keep and safely return the Prisoner to Gaol if necessary; and the Amount of what is due to all the Creditors thus being known, and the necessary Expences attending this Proceeding, added; if a Term of seven Years Service or under will fully discharge the same, the said Justice and Freeholder may sell such Negro or Mulatto as a Servant to any proper Person who will advance the Sum for any reasonable Time not exceeding the said Term of seven Years at their Discretion, and cause the said Negro or Mulatto to sign an Indenture for that Purpose, indorsing the said Indenture under their Hands, that the Time is reasonable for the Sum advanced; and each Creditor shall receive his just Demand and discharge the same; but if the Amount of the Debts, and Expences should exceed the Value of that Term of Servitude, then the utmost Sum which any Person will advance for an Indenture on the said Negro or Mulatto for that Time, shall, by the said Justice and Freeholder, be paid to and amongst the Creditors, in Proportion to their several Debts; on Receipt of which Dividend, each Creditor shall sign a Discharge to the said Negro or Mulatto for the Debt. And whenever any free Negro or Mulatto shall, by the Commission of any Crime, render him or herself liable to Fine and Imprisonment, the Court pronouncing the same, shall also offer a reasonable Time of Servitude in Lieu thereof; that on Neglect or Refusal to satisfy the said Judgment, the said Court may order such Offender to indent him or herself for the said Time, declaring the Reasonableness of it in the Judgment aforesaid, and the same shall be recited in the Indenture; which Indentures endorsed, or reciting the Judgment as aforesaid, shall protect the said Negro or Mulatto in the Master or Mistress's Service against all civil Suits during the Time limited therein. And the Justices and Freeholders may receive for drawing and setting

ting up the Advertisements *Three Shillings* ; and for their Attendance and Endorsement aforesaid, each of them may receive *Five Shillings* ; the Person drawing the Indentures may receive *Three Shillings* ; and the Sheriff or Gaoler may receive *Two Shillings* and *Nine-pence*, for his Attendance with the Prisoner, and *Nine-pence* for every Mile he is obliged to ride with him or her, and no more.

9. AND BE IT FURTHER ENACTED *by the Authority aforesaid*, That all and every Person and Persons within this Colony, who shall at any Time buy, sell, barter, trade or traffick with any Negro or Mulatto Slave, any Wine, Rum, Beer, Cider or other strong Drink, or any other Chattels, Goods, Wares or Commodities whatsoever, unless it be by and with the Consent of his or her Master or Mistress, or the Person under whose Care he or she may be, and being thereof legally convicted, shall, for the first Offence, pay *Twenty Shillings*, and for the second and every other *Forty Shillings* Proclamation Money, one Half to the Informer, and the other Half to the Use of the Poor of that Place where the Fact is committed, to be recovered by Action of Debt in any Court where cognizable.

10. AND BE IT FURTHER ENACTED *by the Authority aforesaid*, That if any Negro or Mulatto shall, after the Publication of this Act, commit any Assault and Battery upon any white Person, and shall be convicted thereof before any two Justices of the Peace of any County, City or Borough within this Colony, such Negro or Mulatto so thereof convicted, shall suffer such corporal Punishment as the same Justices at their Discretion shall think fit to order, not exceeding Thirty-nine Lashes.

11. AND BE IT FURTHER ENACTED *by the Authority aforesaid*, That nothing in this Act shall be construed or taken to enable any Negro, Indian or Mulatto now free, or that shall hereafter be set free by Virtue of this Act, to hold or give any Vote for any Office of Honour, Trust or Profit within this Colony, or to be Witnesses in any Court of Justice in any Cause, or upon any Account, but against one another.

12. AND BE IT ENACTED *by the Authority aforesaid*, That an Act passed in the 12th and 13th Years of the Reign of Queen Anne, entitled, *An Act for regulating of Slaves*, and the fourth Section of an Act passed in the Tenth Year of his present Majesty's Reign, entitled, *An Act laying a Duty on the Purchasers of Slaves imported into this Colony*, be, and they are hereby severally repealed and made void. PROVIDED NEVERTHELESS, That no Master or Mistress, having manumitted his or her Slave or Slaves, without having complied with the Laws now intended to be repealed, shall by the said Repeal be discharged from the Support and Maintenance of the Slave so manumitted in case he or she shall become necessitous.

N. 75.2.

V O T E S
A N D
P R O C E E D I N G S
O F T H E
G E N E R A L A S S E M B L Y
O F T H E
C O L O N Y O F N E W - J E R S E Y .

AT A SESSION BEGAN AT PERTH-AMBOY, WEDNESDAY
JANUARY 11, 1775, AND CONTINUED UNTIL THE 13th DAY
OF FEBRUARY FOLLOWING.

BEING THE THIRD SESSION OF THE TWENTY-SECOND ASSEMBLY
OF NEW-JERSEY.

1775



BURLINGTON:

PRINTED BY ISAAC COLLINS, PRINTER TO THE KING, FOR
THE PROVINCE OF NEW-JERSEY, M.DCC.LXXV.

Votes, &c. of the General Assembly.

NAMES OF THE REPRESENTATIVES.

C ITY of <i>Perth-Amboy</i> ,	Cortland Skinner, <i>Speaker</i> ,	John Combs,
<i>Middlesex</i> ,	John Wetherill,	_____
<i>Monmouth</i> ,	Edward Taylor,	Richard Lawrence,
<i>Effex</i> ,	Stephen Crane,	Henry Garritse,
<i>Somerset</i> ,	Hendrick Fisher,	John Roy,
<i>Bergen</i> ,	Theunis Dey,	John Demarest,
<i>Morris</i> ,	Jacob Ford,	William Winds,
City of <i>Burlington</i> ,	James Kinsey,	Thomas P. Hewlings,
County of <i>Burlington</i> ,	Henry Paxson,	Anthony Sykes,
<i>Gloucester</i> ,	John Hinchman,	Robert F. Price,
<i>Salem</i> ,	Grant Gibbon,	Benjamin Holme,
<i>Cape-May</i> ,	Jonathan Hand,	Eli Eldridge,
<i>Hunterdon</i> ,	Samuel Tucker,	John Mehelm,
<i>Cumberland</i> ,	John Sheppard,	Theophilus Elmer,
<i>Suffex</i> ,	Nathaniel Pettit.	_____

PERTH-AMBOY, Wednesday, January 11, 1775.

PURSUANT to His Excellency's several Prorogations of the General Assembly from Time to Time till this Day, the House met; and, for Want of a sufficient Number of Members to proceed upon Business, adjourned till To-morrow Morning Ten o'Clock.

Thursday, January 12, 1775.

The House met.

Ordered,

That Mr. *Kinsey* and Mr. *Combs* do wait on His Excellency and acquaint him, that a sufficient Number of Members to proceed upon Business are met, and ready to receive any Thing he may please to lay before them.

Mr.

Mr. *Kinsey* reported, that Mr. *Combs* and himself waited on the Governor pursuant to the Order of the House, who was pleased to say the House should hear from him.

Mr. *Wetherill* informed the House that *John Moores*, Esq. late one of the Representatives for the County of *Middlesex*, was deceased since the last Session.

Ordered,

That the Speaker issue his Warrant to the Clerk of the Crown to make out a Writ for electing a new Member in the Place and Stead of the said *John Moores*, Esq. deceased;

Whereupon Mr. Speaker issued his Warrant accordingly.

Ordered,

That Mr. *Wetherill*, Mr. *Taylor* and Mr. *Sheppard*, be a Committee to inspect the Minutes of this House, and report what Business is referred over to this Session.

Ordered,

That Mr. *Hinchman*, Mr. *Tucker* and Mr. *Mehelm*, be a Committee to inquire what Laws are expired or near expiring, and make Report thereof to the House.

The House adjourned till Three, P. M.

The House met.

Mr. *Pettit* informed the House that *Thomas Van Horne*, Esq. late one of the Representatives for the County of *Suffex*, was deceased since the last Session.

Ordered,

That the Speaker issue his Warrant to the Clerk of the Crown to make out a Writ for electing a new Member in the Place and Stead of the said *Thomas Van Horne*, deceased;

Whereupon Mr. Speaker issued his Warrant accordingly.

Andrew Robinson, late Sergeant at Arms to this House, being deceased,

Resolved,

That *Thomas Inglis* be the Sergeant at Arms of this House in the Room and Place of the said *Andrew Robinson*, deceased.

The House adjourned till To-morrow Morning Ten o'Clock.

Friday, January 13, 1775.

The House met.

Mr. *Kinsey* laid before the House the Western Duplicates, except *Gloucester* County: Also a Duplicate of His Majesty's Allowance of the Act, entitled, *An Act for establishing the Boundary or Partition Line between the Colonies of New-York and Nova-Cæsarea or New-Jersey, and for confirming the Titles and Possessions.*

A Petition

A Petition was presented to the House by sundry of the Owners and Possessors of the Meadows and Swamp on *Ramboe's Run*, in the Township of *Deptford* in the County of *Gloucester*, praying a Law to oblige each Owner and Possessor to maintain his Part of the Banks, &c. heretofore erected, and to keep the Watercourses clear; which was read, and ordered a second Reading.

A Petition was presented from sundry Inhabitants of *Chester* in the County of *Burlington*, and *Waterford* in the County of *Gloucester*, praying a Law to enable them to erect a Bank, Dam and other Waterworks, across *Pennsauken Creek*, and also a Petition against the passing such Law; which were read, and ordered a second Reading.

A Petition was presented by *David Gould*, a Prisoner for Debt in the Gaol of the Borough of *Elizabeth*, praying a Law for his Relief; which was read, and ordered a second Reading.

A Message from His Excellency by Mr. D. Secretary *Pettit*.

MR. Speaker, His Excellency is in the Council-Chamber, and requires the immediate Attendance of this House:

Whereupon Mr. Speaker left the Chair, and with the House went to wait upon His Excellency; and being returned, Mr. Speaker resumed the Chair, and reported, that the House had waited on His Excellency, who was pleased to make a Speech to the Council and House of Assembly, of which Mr. Speaker said he had, to prevent Mistakes, obtained a Copy; and the same by Order of the House was read, and is as follows, viz.

Gentlemen of the Council, and Gentlemen of the Assembly,

ALTHOUGH not more than Ten Months have elapsed since your last Meeting in General Assembly, yet, as there are several Matters of Importance which require the particular Attention of the Legislature, I have thought it proper to give you as early an Opportunity of transacting the publick Business as was consistent with your Conveniency.

Gentlemen of the Assembly,

The Support of Government having been expired ever since the first of *October*, I must recommend that Matter to your early Consideration.

The Barrack Master's Accounts for the Expenditure of the Money granted last Year for the Supply of the King's Troops shall be laid before you as soon as they can be prepared.

Gentlemen of the Council, and Gentlemen of the Assembly,

It would argue not only a great Want of Duty to His Majesty, but of Regard to the good People of this Province, were I, on this Occasion, to pass over in Silence the late alarming Transactions in this and the neighbouring Colonies, or not endeavour to prevail on you to exert yourselves in preventing those Mischiefs to this Country, which,

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without

without your timely Interposition, will, in all Probability, be the Consequence.

It is not for me to decide on the particular Merits of the Dispute between *Great-Britain* and her Colonies, nor do I mean to censure those who conceive themselves aggrieved for aiming at a Redress of their Grievances. It is a Duty they owe themselves, their Country, and their Posterity. All that I would wish to guard you against, is the giving any Countenance or Encouragement to that destructive Mode of Proceeding which has been unhappily adopted in Part by some of the Inhabitants in this Colony, and has been carried so far in others as totally to subvert their former Constitution. It has already struck at the Authority of one of the Branches of the Legislature in a particular Manner. And, if you, Gentlemen of the Assembly, should give your Approbation to Transactions of this Nature, you will do as much as lies in your Power to destroy that Form of Government of which you are an important Part, and which it is your Duty by all lawful Means to preserve. To you your Constituents have intrusted a peculiar Guardianship of their Rights and Privileges. You are their legal Representatives, and you cannot, without a manifest Breach of your Trust, suffer any Body of Men, in this or any of the other Provinces, to usurp and exercise any of the Powers vested in you by the Constitution. It behoves you particularly, who must be constitutionally supposed to speak the Sense of the People at large, to be extremely cautious in consenting to any Act whereby you may engage them as Parties in, and make them answerable for Measures which may have a Tendency to involve them in Difficulties far greater than those they aim to avoid.

Besides, there is not, Gentlemen, the least Necessity, consequently there will not be the least Excuse for your running any such Risks on the present Occasion. If you are really disposed to represent to the King any Inconveniencies you conceive yourselves to lie under, or to make any Propositions on the present State of *America*, I can assure you, from the best Authority, that such Representations or Propositions will be properly attended to, and certainly have greater Weight coming from each Colony in it's separate Capacity, than in a Channel, of the Propriety and Legality of which there may be much Doubt.

You have now pointed out to you, Gentlemen, two Roads—one evidently leading to Peace, Happiness, and a Restoration of the publick Tranquility—the other inevitably conducting you to Anarchy, Misery, and all the Horrors of a Civil War. Your Wisdom, your Prudence, your Regard for the true Interests of the People, will be best known when you have shewn to which Road you give the Preference. If to the former, you will probably afford Satisfaction to the moderate, the sober, and the discreet Part of your Constituents. If to the latter, you will, perhaps for a Time, give Pleasure to the warm, the rash, and the inconsiderate among them, who, I would willingly hope, violent as is the Temper of the present Times, are not even now the Majority. But it may be well for you to remember, should any Calamity hereafter befall them from your Compliance with their Inclinations, instead of pursuing, as you ought, the Dictates of your own Judgment, that

that the Consequences of their returning to a proper Sense of their Conduct, may prove deservedly fatal to yourselves.

I shall say no more at present on this disagreeable Subject, but only to repeat an Observation I made to a former Assembly on a similar Occasion. "Every Breach of the Constitution, whether it proceeds from the Crown or the People, is, in its Effects, equally destructive to the Rights of both. It is the Duty, therefore, of those who are intrusted with Government, to be equally careful in guarding against Encroachments from the one as the other. But *It is (says one of the wisest of Men) a most infallible Symptom of the dangerous State of Liberty, when the chief Men of a free Country shew a greater Regard to Popularity than to their own Judgment.*"

COUNCIL-CHAMBER, }
Jan. 13th, 1775. }

WM. FRANKLIN.

Ordered,

That His Excellency's Speech be read a second Time.

The House adjourned till Three, P. M.

The House met.

Mr. *Allinson* informed the House that he had made great Progress in revising the Laws, and was ready to commit the same to the Press, but had delayed it until he had the Approbation of the House;

Ordered,

That Mr. *Fisher*, Mr. *Wetherill*, Mr. *Kinsley*, Mr. *Crane*, Mr. *Hinchman*, Mr. *Tucker* and Mr. *Mehelm*, be a Committee to inspect the Laws as prepared by Mr. *Allinson*, and make Report to this House, and that Mr. Speaker be desired to assist the said Committee.

The Petition from the Owners and Possessors of the Meadows and Swamp on *Ramboe's Run*, in *Deptford* in the County of *Gloucester*, &c. was read the second Time;

Ordered,

That the Petitioners have Leave to bring in a Bill:

Whereupon Mr. *Hinchman* brought in a Bill, entitled, *An Act to enable the Owners and Possessors of the Meadows and Swamp lying on Ramboe's Run, in Deptford in the County of Gloucester, to keep up and maintain the Dam, Banks and other Waterworks necessary to prevent the Tide from overflowing the same, &c.* which was read, and ordered a second Reading.

A Petition was presented by *James Morgan*, a Prisoner for Debt in the Gaol of *Perth-Amboy*, praying a Law for his Relief; which was read, and ordered a second Reading.

Mr. *Wetherill*, from the Committee appointed to inquire what Business stands referred to this Session, made the following Report:

1. *Monmouth* Petitions for and against building a Poor-House and House of Correction, &c.

2. *Robert*

2. *Robert Doughty's* Petition for stopping *Absecom* Creek.
3. Petition of *Joseph Rue* and *George Cook*.
4. *Charles Sudam* and *John Duykinck's* Petition for Payment of the Money advanced in building a Bridge at *Raritan* Landing.
5. A Petition from *Hanover*, in *Morris* County, for a Repeal of their present Road Law.
6. Petitions of *Elijah Bond* and *Daniel Coxe*.
7. Bill for the more equitable Manumission of Slaves, with the Petitions for and against the same.
8. Bill for laying a Duty on the Purchasers of Slaves.
9. Petitions from *Somerset* against the Expence of fundry Bridges.
10. Petitions respecting Carriages.
11. Petitions for and against a Bridge over *Affiscunk* Creek.

The House adjourned till To-morrow Morning Ten o'Clock.

Saturday, January 14, 1775.

The House met.

A Petition was presented by *Henry Voorbies*, a Prisoner for Debt in the Gaol of *Burlington*, praying a Law for his Relief; which was read, and ordered a second Reading.

Ordered,

That Mr. *Hewlings* and Mr. *Eldridge* do wait on the Council, and inform them, that this House have appointed Mr. *Fisher*, Mr. *Wetherill*, Mr. *Kinsley*, Mr. *Crane*, Mr. *Hinchman*, Mr. *Tucker* and Mr. *Mehelm*, a Committee to inspect the Laws as prepared by Mr. *Allinson* for the Pres, and to request the Council, if they think proper, to name a Committee to join and assist the Committee of this House, in inspecting the Laws so prepared.

A Petition was presented by fundry Inhabitants of *Bridgetown*, in the County of *Cumberland*, praying a Law to prevent Hogs running at large in said Town, &c. which was read, and ordered a second Reading.

Mr. *Hewlings* reported, that Mr. *Eldridge* and himself delivered the Message with them intrusted to the Speaker in Council.

Ordered,

That Mr. *Wetherill*, Mr. *Crane*, Mr. *Fisher*, Mr. *Taylor*, Mr. *Ford*, Mr. *Kinsley*, Mr. *Price*, Mr. *Tucker*, Mr. *Sheppard* and Mr. *Hand*, be and they are hereby appointed a Committee of Grievances, and they or any three of them may meet together at such Times and Places as they or any three of them shall think proper to appoint, either during the Sitting of the Assembly or at any other Time, and make Report of their Proceedings to the House.

The Petitions from the Inhabitants of *Chester* in the County of *Burlington*, and *Waterford* in the County of *Gloucester*, for and against a Law

Law to erect a Bank, Dam, &c. across *Pennshaukin* Creek, were read the second Time :

Ordered,

That the same be referred to the next Session of Assembly at *Burlington*.

Ordered,

That Mr. *Lawrence*, Mr. *Tucker*, Mr. *Mehelm*, Mr. *Sheppard* and Mr. *Eldridge*, or any three of them, be a Committee to join a Committee of the Council to settle the Eastern Treasurer's Accounts, and burn the cancelled Money in his Hands, and make Report to the House.

Ordered,

That Mr. *Combs* and Mr. *Winds* do inform the Council thereof, and desire them to appoint a Committee for that Purpose, together with the Time and Place of meeting.

Mr. *Wilson Hunt* attending pursuant to an Order of the House last Session of General Assembly, and having been heard before the House, and several Certificates offered by him being read ; after some Debate, on the Question, whether the said *Wilson Hunt* pay the Interest as charged in his Account at the last Session ? It passed in the Negative.

The House adjourned till *Monday Morning Ten o'Clock*.

Monday, January 16, 1775.

The House met.

The Bill, entitled, *An Act to enable the Owners and Possessors of the Meadows and Swamp lying on Ramboe's Run, &c. to keep up and maintain the Dam, Bank, &c.* was read the second Time ;

Ordered,

That the same be committed to Mr. *Kinsley* and Mr. *Holme*.

His Excellency's Speech was read the second Time, and committed to a Committee of the whole House.

Ordered,

That the Committee sit To-morrow Morning.

The House adjourned till Three, *P. M.*

The House met.

A Petition was presented by *Jacob Ford, jun.* and *Moses Tuttle*, praying a Law to enable the Owners and Possessors of a Tract of Bog Meadow and Swamp, on the east Branch of *Rockaway* River, in *Morris* County, to drain the same, &c. which was read, and ordered a second Reading.

The House adjourned till To-morrow Morning Nine o'Clock.

Tuesday, January 17, 1775.

The House met.

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A Petition

A Petition was presented by a Number of the Owners and Customers of the Grist Mill on *Passaick* River, near *Chatham*, praying a Law to enable them to remove sundry Obstructions of the Waters in said River; which was read, and ordered a second Reading.

A Petition was presented from a Number of the Inhabitants and Freeholders of the Parts of *Morris* and *Somerſet* ſoutherly from *Longhill*, and near *Passaick* River, praying a ſupplementary Law to an Act for the clearing out and removing all Obstructions in ſaid River, &c. which was read, and ordered a ſecond Reading.

The Houſe according to Order reſolved itſelf into a Committee of the whole Houſe on His Excellency's Speech; and, after ſome Time ſpent therein, Mr. Speaker reſumed the Chair, and Mr. *Fiſher*, Chairman of the Committee, reported, that the Committee had made ſome Progreſs in the Matters to them referred, and deſired Leave to fit again; to which the Houſe agreed.

The Houſe adjourned till Three, *P. M.*

The Houſe met, and adjourned till To-morrow Morning Nine o'Clock.

Wednesday, January 18, 1775.

The Houſe met.

The Petition of the Owners and Customers of the Grist Mill at *Chatham* on *Passaick*, and of the Inhabitants and Freeholders of the Parts of *Morris* and *Somerſet*, ſoutherly from *Longhill*, near *Passaick*, &c. were read the ſecond Time; on the Queſtion,

Ordered,

That the Petitioners have Leave to bring in a Bill purſuant to their Petitions on *Wednesday* the 25th Inſtant, unleſs Cauſe be ſhewn to the contrary; and that the Petitioners, or ſome of them, ſerve a Copy of this Order on *Joſeph Crane* and *William Parſons*, or either of them, at leaſt four Days before the ſaid Day.

Ordered,

That the Clerk deliver a Copy of this Minute to the Petitioners, or ſome of them.

The Petitioners for a Bill to oblige *Joſeph Crane* and *William Parſons* to remove the Mill Dam by them erected, &c. in *Passaick* River, having ſuggeſted to this Houſe, that *Joſeph Abbott* and the Rev. Mr. *Jonathan Elmer*, are proper Evidences to prove divers Matters ſet forth in the Petitions againſt the ſaid Mill Dam, &c. and that they may neglect to attend on the Hearing;

Ordered,

That the ſaid *Joſeph Abbott* and *Jonathan Elmer* do attend this Houſe on the 25th Inſtant, and that a Copy of this Order be ſerved on them by the Petitioners, or ſome of them.

Mr. *Combs* reported, that Mr. *Winds* and himſelf delivered the Meſſage with them intruſted to the Speaker in Council.

The

The Petition of *Jacob Ford*, jun. and *Moses Tuttle*, praying a Law to enable the Owners and Possessors of a Bog Meadow and Swamp on the East Branch of *Rockaway* River to drain the same, &c. was read the second Time ; and this House being informed that Mr. *Bartow*, one of the Owners of Part of the said Meadow, is desirous to be heard against the said Petition ;

Ordered,

That the Parties be heard before the House this Afternoon.

The House adjourned till Three, P. M.

The House met.

Mr. *Fisher* from the Committee appointed to inspect the Laws as prepared by Mr. *Allinson* for the Press, reported, that in Conjunction with a Committee of the Council they had inspected the same, and approved of the Method.

Ordered,

That Mr. *Allinson* do proceed to print the same forthwith.

The House according to Order resumed the Consideration of the Petition of *Jacob Ford*, jun. and *Moses Tuttle*, and Mr. *Bartow* attending, presented a Petition, which was read ; whereupon the Parties being heard before the House, and Maps produced and considered, as well as the Allegations of the Parties for and against the Prayer of the Petition ; after some Debate, on the Question,

Ordered,

That the Petitioners have Leave to bring in a Bill accordingly.

Mr. *Allinson* informing the House that there will be great Difficulty in getting Calfskin to bind the Laws of this Colony when printed, and that Sheepskin can be easier procured and cheaper :

Ordered,

That he bind the same in tanned Sheepskin.

A Message from the Council by Mr. *Hopkinson*, informing the House that the Council have appointed Mr. *Stevens*, Mr. *Coxe* and Mr. *Lawrence*, or any two of them, a Committee to join the Committee of this House, to settle the Eastern Treasurer's Accounts, and burn the cancelled Money, and that the said Committee do meet at the Treasurer's on Friday next at six o'Clock.

Mr. *Ford*, in Behalf of the Petitioners, brought in a Bill, entitled, *An Act to enable the Proprietors and Possessors of the Meadows and Swamps lying on the East Branch of Rockaway River, between the Forge called and known by the Name of Middle Forge and Moses Tuttle's, in the County of Morris, to blow up and lower the Falls, dig Ditches, &c. for the more effectually draining the same, and for other Purposes therein mentioned ;* which was read, and ordered a second Reading.

The House adjourned till To-morrow Morning Nine o'Clock.

Thursday, January 19, 1775.

The House met.

Mr.

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Mr *Hinchman*, from the Committee appointed to inquire what Laws are expired or are near expiring, made the following Report :

1. An Act to establish Courts in the several Counties of this Colony, for the Trial of small Causes.

2. An Act to prohibit the setting Nets, Seines and other Devices in the River Raritan and South River, to obstruct the Fish going up in the proper Season of the Year, and to preserve the Fry and young Brood of Fish from being destroyed in the said River.

3. An Act to provide a more effectual Remedy against excessive Costs in the Recovery of Debts under Fifty Pounds, in this Colony, and for other Purposes therein mentioned.

4. An Act for the speedy Recovery of Debts from Six Pounds to Ten Pounds, in the Inferior Courts of Common Pleas of this Colony for small Fees.

5. An Act to empower the Inhabitants of the Township of Deptford in the County of Gloucester, to repair their publick Highways by Hire, and raise Money for that Purpose.

Ordered,

That Mr. *Price*, Mr. *Lawrence* and Mr. *Mehelm*, be a Committee to prepare and bring in a Bill to establish Courts in the several Counties of this Colony, for the Trial of small Causes, and to repeal the present Act.

On a Motion made,

Ordered,

That Mr. *Fisher*, Mr. *Crane*, Mr. *Roy* and Col. *Ford*, be a Committee to prepare and bring in a Bill more effectually to prevent Immorality, and that Mr. Speaker be desired to assist the said Committee.

On a Motion made,

Ordered,

That Mr. *Kinfey*, Mr. *Sykes* and Mr. *Elmer*, be a Committee to prepare and bring in a Bill to regulate Schoolmasters.

The House adjourned till Three, P. M.

The House met.

A Petition of divers Inhabitants of the Counties of *Middlesex* and *Somerset*, praying a Law, for Reasons therein set forth, to enable them to build a Bridge over *Harry's Brook*, on the great Road between *Princeton* and *Kingston*, &c. was read, and ordered a second Reading.

A Petition was presented by divers Persons, in Behalf of themselves and others, Claimers of the common Lands allotted to the Patent of *Secaucus*, &c. setting forth the Law Suits they are involved in, from the Commissioners appointed by Law not determining to whom the said Allotment belonged, and therefore praying a Law to appoint Commissioners finally to determine the same; was read, and ordered a second Reading.

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The Bill, entitled, *An Act to enable the Proprietors and Possessors of the Meadows and Swamps lying on the east Branch of Rockaway River, between the Forge called and known by the Name of the Middle Forge, and Moses Tuttle's*; was read the second Time, and committed to Mr. Kinsey, Mr. Tucker and Mr. Price.

The Petition of *Charles Queen*, setting forth, that he hath served in the *New-Jersey* Regiment and Captain *Johnson's* Company, in the Years 1762 and 1763, and had not received any Pay for said Service; was read, and ordered a second Reading.

The House adjourned till To-morrow Morning Nine o'Clock.

Friday, January 20, 1775.

The House met.

The House again, according to Order, resolved itself into a Committee of the whole House on His Excellency's Speech; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported, that they have made some further Progress in the Matters to them referred, and had come to two Resolutions, which he was ready to report whenever the House would please to receive the same, and that the Committee desired Leave to sit again;

Ordered,

That the said Report be made immediately, and that the Committee have Leave to sit again:

Whereupon Mr. *Fisher* reported the Resolutions of the Committee as follow:

1. *Resolved*,

That an humble Address be presented to His Excellency in answer to his Speech; to which the House agreed.

2. *Resolved*,

That the Government of this Colony be honourably supported from the first Day of *October* 1774, to the first Day of *October* 1775; to which the House agreed.

A Petition was presented by *Timothy Higgins*, a Prisoner for Debt in the Gaol of *Elizabeth-Town*, praying a Law for his Relief; also a Petition from *Matthias Williamson*, Esq. against the same; which were read, and ordered a second Reading.

A Petition was presented by *Samuel Serring*, an Insolvent Debtor in the Gaol of *Elizabeth-Town*, praying a Law for his Relief; which was read, and ordered a second Reading.

The House adjourned till Three, P. M.

The House met.

Three Petitions were presented from a Number of Inhabitants of the County of *Somerset*, complaining of their heavy Taxes for building and repairing Bridges over *Raritan* and *Millstone* Rivers, and praying that

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said Bridges may not be a County Expence ; which were read, and ordered a second Reading.

Sundry Petitions were presented from sundry Freeholders and other Inhabitants of *Middlesex* and *Somerset*, for Reasons therein set forth, praying an Alteration and Amendment to the Law for the better Preservation of Oysters in the Colony of *New-Jersey* ; which were read, and ordered a second Reading.

A Petition was presented by *John Carle* and others, setting forth, that they had paid *Eighty Pounds* for the Privilege of the free Course of Waters of the River *Passaick*, where the Sawmill, late *Woodruff's*, did stand, and praying a Law to oblige the Owners and Possessors of the low Lands and Meadows adjoining, that are benefitted thereby, to pay their Proportion of the said *Eighty Pounds* ; which was read, and ordered a second Reading.

A Petition was presented by *Abraham Kitchel*, of *Morris* County, praying Recompence for having taken the Number of People in the Township of *Hanover*, with their Ages, Births, &c. which was read, and ordered a second Reading.

The House adjourned till To-morrow Morning Nine o'Clock.

Saturday, January 21, 1775.

The House met.

Several Petitions were presented from different Counties in this Colony, praying a Revival of the Bill ordered to be printed with the Votes of the House last Year, entitled, *An Act for the more equitable Manumission of Slaves*, &c. which were read, and ordered a second Reading.

Two Petitions were presented by *Joshua Mersereau* and *Michael Vantuyte*, praying a Law to establish the Road from *Bergen* Point along up *Newark* Bay, and from thence to *Paulus-Hook* on *Hudson's* River ; also a Petition from sundry Freeholders and Inhabitants of *Bergen* against the same, and praying they may be heard thereon ; which were read, and ordered a second Reading.

Ordered also,

That the Parties be heard before the House on the second Reading of said Petitions, on *Thursday* the 26th Instant ; and that the Parties, or some of them, be served with a Copy of this Order.

Mr. Price, from the Committee appointed for that Purpose, brought in a Bill, entitled, *An Act to erect and establish Courts in the several Counties in this Colony, for the Trial of small Causes, and to repeal the former Act for that Purpose* ; which was read, and ordered a second Reading.

A Petition was presented from several Constables in *Morris* County, praying a Law to raise the Constables Fees, &c. which was read, and ordered a second Reading.

The House again, according to Order, resolved itself into a Committee

mittee of the whole House on His Excellency's Speech; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported, that they have made some further Progress in the Matters to them referred, and desired Leave to sit again; to which the House agreed.

The House adjourned till *Monday* Morning Ten o'Clock

Monday, January 23, 1775.

The House met.

The Bill, entitled, *An Act to erect and establish Courts in the several Counties of this Colony, for the Trial of small Causes, and to repeal the former Act for that Purpose*, was read the second Time; on the Question,
Ordered,

That the same be engrossed.

The House adjourned till Three, *P. M.*

The House met.

The House again, according to Order, resolved itself into a Committee of the whole House on His Excellency's Speech; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported, that they have made some further Progress in the Matters to them referred, and desired Leave to sit again; to which the House agreed.

Ordered,

That Mr. *Wetherill*, Mr. *Kinsley*, Mr. *Fisher*, Mr. *Lawrence* and Mr. *Crane*, be a Committee to prepare and bring in the Draught of an Address to His Excellency in answer to his Speech.

Ordered,

That Mr. *Price*, Mr. *Tucker*, Mr. *Dey*, Mr. *Sheppard*, Mr. *Roy*, Mr. *Sykes* and Mr. *Elmer*, be a Committee to bring in a Bill for Support of Government.

The House adjourned till To-morrow Morning Nine o'Clock.

Tuesday, January 24, 1775.

The House met.

Mr. *Crane* and Mr. *Kinsley*, laid before the House the following Memorial; which was read, and is as follows, *to wit*;

To the Honourable the House of Representatives of the Colony of New-Jersey, in General Assembly met.

GENTLEMEN,

WE, the Subscribers, having been appointed and requested by the Committees of the several Counties in this Colony, including a Majority of the Members of your House, to represent the Colony of
New-Jersey

New-Jersey in the Continental Congress of Delegates from the other American Colonies at *Philadelphia* in *September* last, beg leave to report to the House, that we attended the said Congress, and did every Thing in our Power to answer the Intention of our Appointment; and hope and trust that the Proceedings of the said Congress, which we now lay before you for your Consideration, will receive your Approbation, and have the desired Effect in producing that Peace, Happiness, Harmony and Confidence between *Great-Britain* and the Colonies, so ardently wished for by all good Men.

*We are, Gentlemen,
your most obedient Servants,*

January 11, 1775.

JAMES KINSEY,
STEPHEN CRANE,
WILLIAM LIVINGSTON,
JOHN D'HART.

Mr. *Crane* and Mr. *Kinsey* also laid before the House the Proceedings of the Continental Congress held at *Philadelphia* in *September* last, which were read; on the Question, Whether the House approve of the said Proceedings? It passed in the Affirmative.

Resolved,

That this House do unanimously approve of the Proceedings of the Congress—such as are of the People called Quakers excepting only to such Parts as seem to wear an Appearance, or may have a Tendency, to Force (if any such there be) as inconsistent with their religious Principles.

Resolved unanimously,

That *James Kinsey, Stephen Crane, William Livingston, John D'Hart* and *Richard Smith*, Esquires, or any three of them, be, and they are hereby appointed to attend the Continental Congress of the Colonies, intended to be held at the City of *Philadelphia* in *May* next, or at any other Time and Place, and that they report their Proceedings to the next Session of General Assembly—instructing the said Delegates to propose and agree to every reasonable and constitutional Measure for the Accommodation of the unhappy Differences at present subsisting between our Mother Country and the Colonies, which the House most ardently wish for.

The House also being informed, that at the Congress held at *Philadelphia* the sixth of *September* last, a Motion was made to give some of the Colonies a greater Number of Votes in the Determination of Questions, to be agitated therein, than to others; and conceiving such Motion to be of dangerous Consequence—do also instruct their Delegates not to agree to a Measure of that Kind, unless it should be agreed at the same Time, that no Vote to be taken on such Principles shall, in future, be obligatory on any Colonies whose Delegates do not consent thereto.

Ordered,

That Mr. Speaker do transmit a Copy of the foregoing Resolutions to
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the Speakers of the Assemblies of *New-York* and *Pennsylvania*.

Resolved unanimously,

That the Thanks of this House be given to *James Kinsley, Stephen Crane, William Livingston, John D'Hart* and *Richard Smith*, Esquires, for their faithful and judicious Discharge of the Trust reposed in them at the late Continental Congress.

The House adjourned till Three, P. M.

The House met.

Two Petitions were presented from a Number of Inhabitants of *Essex, Morris* and *Somerset*, praying that no Law may pass to oblige the Owners and Possessors of the low Lands and Meadows between *Bonnell's* and *Parsons's* Mill, on *Passaick* River, to pay their proportionable Part of clearing said River, and lowering the Falls, &c. which were read, and ordered a second Reading.

A Petition was presented by *Joseph Crane* and *William Parsons*, praying that the Hearing, appointed on *Wednesday* next, may be put off till *Friday*; on the Question,

Ordered,

That the said Hearing be put off accordingly till *Friday* next, and that *Isaac Woodruff*, Esq. Captain *Stephen Day, David Lacey, William Crawford, Thomas Squire, jun. Ezekiel Sayre, John Dunham, John Osborn, William Brittain, Thomas Baker* and *Amos Potter*, Esq. do then attend this House as Witnesses on the said Hearing; and that the Hearing come on at Ten o'Clock in the Forenoon.

A Petition was presented from divers Inhabitants of *Bergen* County, setting forth, that they have always lived in the Province of *New-York*, before the Settlement of the Line between *New-York* and *New-Jersey*, and paid Taxes in the Province of *New-York*, and praying a Law to excuse them from the like Taxes in *New-Jersey*; which was read, and ordered a second Reading.

A Petition was presented by a Number of the Proprietors of the Western Division of this Province, praying a Law for the final Settlement of the Line between the Eastern and Western Division; which was read, and ordered a second Reading.

The House adjourned till To-morrow Morning Nine o'Clock.

Wednesday, January 25, 1775.

The House met.

The House again, according to Order, resolved itself into a Committee of the whole House on His Excellency's Speech; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported, that they have gone through the Matters to them referred, and had come to one more Resolution, which

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he was ready to report whenever the House would please to receive the same ;

Ordered,

That the Report be made immediately :

Whereupon Mr. *Fisher* reported the Resolution of the Committee as follows :

Resolved,

That an humble Petition be presented to his Most Gracious Majesty, praying a Redress of the Grievances under which this and the neighbouring Colonies now labour ; to which the House agreed.

Ordered,

That Mr. *Wetherill*, Mr. *Fisher*, Mr. *Ford*, Mr. *Tucker* and Mr. *Shepard*, be a Committee to prepare and bring in a Petition accordingly.

Mr. *Kinsey*, from the Committee to whom was committed the Bill, entitled, *An Act to enable the Owners and Possessors of the Meadows and Swamps lying on Ramboe's Run, &c. to keep up the Dam, Bank, &c.* reported the same with several Amendments thereto, and the said Bill being read, with the Amendments in their Places, on the Question,

Ordered,

That the said Bill as amended be engrossed.

The House adjourned till To-morrow Morning Nine o'Clock.

Thursday, January 26, 1775.

The House met.

A Petition was presented by a great Number of Freeholders and Inhabitants of the County of *Somerset*, praying a Law for raising the Sum of £. 328: 4: 2 by Tax, to reimburse the Managers for completing *Queens Bridge* over *Raritan River*, &c. which was read, and ordered a second Reading.

A Petition was presented by *Jeremiah Field*, and others, Managers for building *Queens Bridge*, praying Interest for the Monies they have expended and laid out of, in completing said Bridge ; which was read, and ordered a second Reading.

Mr. *Tucker*, from the Committee appointed to settle the Eastern Treasurer's Accounts, informing the House that the Committee cannot proceed in settling the same for Want of Power to settle with the late Treasurer, in whose Hands the cancelled Money is ;

Ordered,

That the same Committee do, in Conjunction with the Committee of the Council, settle the late Treasurer's Accounts, and burn the cancelled Money in his Hands, and make Report thereof to this House.

Ordered also,

That Mr. *Fisher* and Mr. *Hinchman* be added to the said Committee for settling the late and present Treasurers Accounts.

Ordered,

That Mr. *Elmer* and Mr. *Hand* do inform the Council thereof, and desire

desire them to appoint a Committee for that Purpose, together with the Time and Place of meeting.

A Petition was presented by a Number of Freeholders and Inhabitants of that Part of *Somerset* within the Borough of *Elizabeth*, praying that said Part of *Somerset*, within the said Borough, may be annexed to the County of *Essex*; also a Petition of sundry Inhabitants of the Township of *Bernard* in the County of *Somerset*, praying that said Part of the County may be annexed to *Essex*; which were read, and ordered a second Reading.

It being suggested to this House, that Mr. *Jonathan Elmer*, *Joseph Abbot* and *Enos Osborn*, are proper Witnesses on the Hearing to be had before the House To-morrow, and may not attend without further Orders;

Ordered,

That they attend this House as Witnesses accordingly on *Friday* the 27th Instant, at Ten o'Clock in the Morning.

Mr. *Tucker*, pursuant to Leave given at last Session, brought in a Bill, entitled, *An Act to regulate the Taking of Fish in the River Delaware, &c.* which was read, and ordered a second Reading.

Mr. *Mehelm*, pursuant to Leave, brought in a Bill, entitled, *An Act to assess the Township of Amwell, in order to reimburse Joseph Moore for repairing a Bridge, &c.* which was read, and ordered a second Reading.

The Engrossed Bill, entitled, *An Act to erect and establish Courts in the several Counties in this Colony, for the Trial of small Causes, &c.* was read and compared; on the Question,

Resolved,

That the same do pass.

Ordered,

That the Speaker sign the same.

Ordered,

That Mr. *Tucker* and Mr. *Roy* do carry the said Bill to the Council for Concurrence.

The Engrossed Bill, entitled, *An Act to enable the Owners and Possessors of the Meadow and Swamp on Ramboe's Run, in the Township of Deptford, &c. to keep up and maintain the Bank, Dam, &c.* was read and compared; on the Question,

Resolved,

That the same do pass.

Ordered,

That the Speaker sign the same.

Ordered,

That Mr. *Hinchman* and Mr. *Holme* do carry the said Bill to the Council for Concurrence.

Mr. *Elmer* reported, that Mr. *Hand* and himself delivered the Message with them intrusted to Mr. *Stockton*, one of the Council.

Mr.

Mr. *Hinchman* reported, that Mr. *Holme* and himself delivered the Bill with them intrusted to the Speaker of the Council.

Mr. *Tucker* reported, that Mr. *Roy* and himself delivered the Bill with them intrusted to Mr. *Ogden*, Speaker of the Council.

The Petition from fundry Inhabitants of *Bridgetown* in the County of *Cumberland*, against Hogs running at large in said Town, was read the second Time;

Ordered,

That the Petitioners have Leave to bring in a Bill:

Whereupon Mr. *Elmer*, in Behalf of the Petitioners, brought in a Bill, entitled, *An Act to prevent Swine running at large in Bridgetown in the County of Cumberland*; which was read, and ordered a second Reading.

The House adjourned till Three, P. M.

The House met.

Two Petitions were presented from *Morris* and *Bergen*, praying a Law to prevent Cattle from running at large and ranging in the Woods in said Counties; which were read, and ordered a second Reading.

A Petition was presented from the Managers appointed in the Act for clearing the Obstructions of the River *Passaick*, &c. setting forth, that they have expended more Money than they have been able to collect by the Mode prescribed by said Act, and praying Relief, &c. which was read, and ordered a second Reading.

This Day being appointed for hearing the Parties on the Petitions for and against the Road from *Bergen* Point along *Newark* Bay to *Paulus-Hook*; and it appearing to this House that the Notice sent to Captain *Thomas Brown*, was left at his House on *Tuesday* last, he being then absent at the Court of *Bergen*, and therefore not now attending;

Ordered,

That the Hearing be adjourned to *Saturday* next, at Ten o'Clock in the Forenoon; of which the opposite Party is to give Notice to Captain *Thomas Brown* or *Jacob Van Waggoner*, by To-morrow Ten o'Clock.

The Petition from divers Inhabitants of *Middlesex* and *Somerset*, praying a Law to enable them to build a Bridge over *Harry's* Brook, on the great Road between *Princeton* and *Kingston*, &c. was read the second Time; on the Question,

Ordered,

That the said Petition lie on the Table.

The House adjourned till To-morrow Morning Nine o'Clock.

Friday, January 27, 1775.

The House met.

Three Petitions were presented from divers Inhabitants of the County of *Burlington*, against a Law for erecting a Bridge over *Affiscunk* Creek
in

in the City of *Burlington*, &c. which were read, and ordered a second Reading.

Mr. *Tucker*, from the Committee appointed for that Purpose, brought in a Bill, entitled, *An Act for Support of Government of His Majesty Colony of New-Jersey, &c.* which was read, and ordered a second Reading.

The Petition from a Number of Inhabitants and Freeholders of *Somerset*, praying a Law for raising the Sum of £. 328: 4: 2 by Tax, to reimburse the Managers for completing *Queens Bridge* over *Raritan River*; with a Petition from the Managers for building said Bridge; also three several Petitions against a Law to levy said Sum by a Tax on the County, were read the second Time; on the Question,

Ordered,

That the Petitioners have Leave to bring in a Bill.

A Message from the Council by Mr. *Lawrence*.

COUNCIL-CHAMBER, *January 26, 1775.*

THE House having taken into Consideration the Message from the House of Assembly of this Day, relative to the settling of the Eastern Treasurer's Accounts, and finding that Mr. *Stevens*, Mr. *Coxe* and Mr. *Lawrence*, have been appointed a Committee to join the Committee of the House of Assembly to settle the Eastern Treasurer's Accounts, and burn the cancelled Money in his Hands;

Ordered,

That the said Committee be also a Committee to join a Committee of the House of Assembly to settle the late Treasurer's Accounts, and burn the cancelled Money in his Hands, and make Report thereof to this House; and that the said Committees do meet, for that Purpose, at the House of the said late Treasurer, at Nine o'Clock on *Tuesday Morning* next.

Ordered also,

That Mr. *Lawrence* do acquaint the House of Assembly therewith.

By Order of the House,

CHAS. PETTIT, *D. Clerk.*

Mr. *Crane* informing the House, that Mr. *William Smith* of *Woodbridge* is a material Witness on the Hearing to be had before the House To-morrow;

Ordered,

That the said *William Smith* do attend this House as a Witness To-morrow Morning at Ten o'Clock, and that he be served with a Copy of this Order.

Mr. *Hinchman* laid before the House the Duplicates of *Gloucester County*.

Mr. *Price* being indisposed, with the Leave of the House went Home.

The Petitions of a Number of the Owners and Customers of the Grift Mills on *Passaick River* near *Chatham*, and of the Freeholders, &c. at and about *Longhill*, praying a Law to enable them to remove sundry Obstructions of the Waters in said River, &c. as also the several Petitions

tions against such Law, being read, and the Parties attending pursuant to the Order of the House, were called in and heard, and sundry Witnesses sworn and examined in support of the said Petitions ;

Ordered,

That the further Consideration of the same be deferred till To-morrow Morning.

The House adjourned till To-morrow Morning Nine o'Clock.

Saturday, January 28, 1775.

The House met.

A Petition was presented from a Number of Inhabitants of *Woodbridge* in the County of *Middlesex*, against a Law for the Manumission of Slaves, &c. which was read, and ordered a second Reading.

The Petition of *John Carle* and others, praying a Law to enable them to oblige the Owners and Possessors of the low Lands and Meadows on that Part of *Passaick* River above the Dam of the Mill late *Woodruff's*, to pay their Proportions of the Sum of *Eighty Pounds*, paid by the Petitioners for the Privilege of the free Course of the Waters, &c. was read the second Time ;

Ordered,

That the Petitioners have Leave to bring in a Bill.

The House resumed the Consideration of the Petitions of the Owners and Customers of the Grift Mill on *Passaick* River near *Chatham*, and of the Inhabitants, &c. in and about *Longhill*, praying a Law to enable them to remove sundry Obstructions of the Waters in said River ; and also the Petition against the Passing such Law, and the Evidence offered Yesterday to the House in Support of said Petitions ; and after some Time spent therein,

Ordered,

That the Petitions do lie on the Table.

The Bill, entitled, *An Act to regulate the Taking of Fish in the River Delaware*, &c. was read the second Time ;

Ordered,

That the same be committed to Mr. *Lawrence*, Mr. *Hinchman* and Mr. *Mebelm*.

The Petition of divers Inhabitants of the County of *Bergen*, setting forth, that they have paid heavy Taxes in *New-York*, and, now upon being taken into this Province, praying a Law to excuse them from certain Taxes in *New-Jersey* for a limited Time, was read the second Time ; on the Question,

Ordered,

That the same do lie on the Table.

The Petition of divers Persons Claimants of the Common Lands allotted to the Patent of *Secaucus*, &c. praying a Law to appoint Commissioners

fioners finally to determine and settle said Allotments, was read the second Time; on the Question,

Ordered,

That the Petitioners have Leave to bring in a Bill at the next Session of General Assembly, provided they give publick Notice thereof in *Hugh Gaine's* News Paper, at least Six Weeks before the said Session, and no reasonable Objections shall then appear against the same.

This Day being appointed for the Hearing on the Petitions for and against the Road from *Bergen* Point along *Newark* Bay to *Paulus-Hook*, &c. and the Parties attending, pursuant to the Order of the House, were called in, and some of the Witnesses examined, and others not attending;

Ordered,

That the further Hearing be adjourned till *Thursday* Morning next at Ten o'Clock; and that *Anthony White*, *Peter Schenck*, *Henry Cooper*, *Joseph Heddy* and *Jonathan Sears*, do then attend this House as Witnesses.

The House adjourned till *Monday* Morning Ten o'Clock.

Monday, January 30, 1775.

The House met.

Mr. *Winds*, pursuant to Leave given the Petitioners, brought in a Bill, entitled, *An Act to enable the Proprietors and Possessors of the Meadows, Swamps and low Lands of the Rivers Passaick and Dead River, to clear the same*, &c. which was read, and ordered a second Reading.

Mr. *Fisher*, pursuant to Leave given, brought in a Bill, entitled, *An Act for raising the Sum of £. 357: 14: 11 on the Inhabitants of the County of Somerset, for repaying certain Persons therein named the Money they have advanced in repairing Queens Bridge*; which was read, and ordered a second Reading.

The Bill, entitled, *An Act to prevent Swine running at large in Bridge-town in the County of Cumberland*, was read the second Time;

Ordered,

That the same be committed to Mr. *Hinchman* and Mr. *Elmer*.

The Bill, entitled, *An Act to assess the Township of Amwell, &c. in order to reimburse Joseph Moore for building a Bridge*, &c. was read the second Time, and committed to Mr. *Lawrence* and Mr. *Combs*.

The House adjourned till Three, P. M.

The House met.

Mr. *Roy*, pursuant to Leave given last Session, brought in a Bill, entitled, *An Act for raising the Sum of £. 122: 14: 3 on the Inhabitants of Middlesex and Somerset, for repaying the Managers of the Landing Bridge*, &c. which was read, and ordered a second Reading.

Mr.

Mr. *Wetherill* from the Committee appointed to prepare the Draught of an Address to His Excellency, brought in a Draught; which was read, and ordered a second Reading.

Two Petitions were presented from divers Inhabitants of the County of *Essex*, for Reasons therein set forth, praying a Supplement to the Act respecting Lotteries, &c. on the Question,

Ordered,

That the said Petitions do lie on the Table.

Ordered,

That Mr. *Hewlings*, Mr. *Pettit*, Mr. *Taylor*, Mr. *Demarest* and Mr. *Sykes*, or any two of them, be a Committee to settle and report all Publick Accounts that may come before the House this Session.

The several Petitions from a Number of Freeholders and Inhabitants of *Middlesex* and *Somerset*, &c. praying an Alteration and Amendment of the Law for the better Preservation of Oysters in the Colony of *New-Jersey*, were read the second Time; on the Question,

Ordered,

That the Petitioners have Leave to bring in a Bill accordingly.

Mr. *Lawrence*, from the Committee to whom was committed the Bill, entitled, *An Act to regulate the Taking of Fish in the River Delaware*, &c. reported the same with several Amendments thereto; and the said Bill being read, with the Amendments in their Places, on the Question,

Ordered,

That the said Bill as amended be engrossed.

The House adjourned till To-morrow Morning Nine o'Clock.

Tuesday, January 31, 1775.

The House met.

Mr. *Lawrence*, from the Committee to whom was committed the Bill, entitled, *An Act to assess the Township of Amwell*, &c. reported the same with several Amendments thereto, and the said Bill being read, with the Amendments in their Places; on the Question,

Ordered,

That the same be engrossed.

The House adjourned till Three, P. M.

The House met.

Mr. *Hinchman*, from the Committee to whom was committed the Bill, entitled, *An Act to prevent Swine running at large in Bridgetown in the County of Cumberland*, reported the same with several Amendments, and the said Bill, with the Amendments in their Places, being read; on the Question,

Ordered,

That the same be referred to the next Session at *Burlington*.

A Message.

A Message from His Excellency by the D. Secretary, which was read, and is as follows :

GENTLEMEN,

I SEND you the Barrack Master's Accounts of Expences incurred for the Repair of the Barracks and Supply of the King's Troops, including Furniture, Bedding, &c. from *June 1773 to December 1774*—by which you will see in what Manner the Money has been expended, which I was authorized by Law to draw out of the Treasury for that Service. There is a Balance remaining in my Hands of about *Thirty-four Pounds Eight Shillings and Six-pence* Proclamation Money.

As the House had some Objections at the last Session to the Charge in Colonel *Robertson's* Account for Sheets furnished the King's Troops, I directed the Barrack Master not to pay that Article of the Account, and to acquaint the Colonel with the Occasion. I now lay before you a Letter from the Colonel on that Head, which appears to me to contain so many just Reasons why the Charge ought to be allowed by the Province, that I cannot but recommend it to your particular Consideration.

January 30, 1775.

WM. FRANKLIN.

The Secretary also laid before the House the Accounts mentioned in the Message.

Ordered,

That His Excellency's Message have a second Reading.

A Petition was presented by *Amos Potter*, in Behalf of himself and divers Inhabitants of *Essex* and *Morris*, adjoining to the River *Passaick*, praying that no Law may pass for levying on them the Sum of *Eighty Pounds*, paid by certain Persons for a Dam and Piece of Land purchased of *Joseph Crane*, and also for lowering the River, &c. which was read, and ordered a second Reading.

A Petition was presented by *Thomas Brown*, praying to be heard before the House by Council on the Hearing appointed on *Thursday* next; which was read, and ordered a second Reading.

The Engrossed Bill, entitled, *An Act to regulate the Taking Fish in the River Delaware, above the Falls at Trenton*, was read and compared; on the Question,

Resolved,

That the same do pass.

Ordered,

That the Speaker sign the same.

Ordered,

That Mr. *Mehelm* and Mr. *Elmer* do carry the said Bill to the Council for Concurrence.

The Draught of an Address to His Excellency was read the second Time;

Ordered,

That the same be referred to a Committee of the whole House :

G

Whereupon

Whereupon the House resolved itself into a Committee of the whole House on the Address to His Excellency; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported, that the Committee had gone through the Address to His Excellency, and had made several Amendments thereto, which he was ready to report whenever the House would please to receive the same;

Ordered,

That the Report be made immediately:

Whereupon Mr. *Fisher* reported the Address with several Amendments; and the same being read,

Ordered unanimously,

That the said Address be engrossed.

The House adjourned till To-morrow Morning Nine o'Clock.

Wednesday, February 1, 1775.

The House met.

Two Petitions were presented from a Number of Inhabitants of *Essex*, against the passing a Law to prevent Cattle from running at large, and ranging in the Woods in the Counties of *Morris* and *Bergen*; which were read:

Whereupon the Petitions of divers Inhabitants of *Morris* and *Bergen*, praying the Law, were also read the second Time; and, after some Debate, on the Question,

Ordered,

That the Petitions for the above Law do lie on the Table.

The Engrossed Address to His Excellency was read and compared;

Ordered,

That Mr. Speaker do sign the same.

Ordered,

That Mr. *Kinsley* and Mr. *Combs* do wait on His Excellency, and desire to know when he will please to be waited on by the House with their Address.

The House adjourned till Three, P. M.

The House met.

A Petition was presented from fundry Inhabitants of *Woodbridge* in the County of *Middlesex*, against the passing a Law for the Manumission of Slaves; which was read, and ordered a second Reading.

Mr. *Kinsley* reported, that Mr. *Combs* and himself waited on His Excellency with the Message of the House, who was pleased to say, the House should hear from him.

The Engrossed Bill, entitled, *An Act to assess the Township of Amwell in order to reimburse Joseph Moore for repairing a Bridge in said Township*, was read and compared; on the Question,

Resolved,

Resolved,
That the same do pass.

Ordered,
That the Speaker sign the same.

Ordered,
That Mr. *Dey* and Mr. *Hand* do carry the said Bill to the Council for Concurrence.

The Petition of *Amos Potter*, for himself and in Behalf of other Inhabitants of *Essex* and *Morris* adjoining to the River *Passaick*, praying, that no Law may pass for levying on them the Sum of *Eighty Pounds*, paid by certain Persons for a Dam and Piece of Land purchased of *Joseph Crane*, &c. was read the second Time ;

Ordered,
That the further Consideration of this Petition be deferred to the second Reading of the Bill, and the same be read on *Monday* next in the Afternoon.

Ordered also,
That the said *Amos Potter* do serve a Copy of this Minute on *John Carle*, Esq. or *Cornelius Ludlow*, by *Thursday* Evening.

Mr. *Dey* reported, that Mr. *Hand* and himself delivered the Bill with them intrusted to Mr. *Kemble* Speaker of the Council.

The House adjourned till To-morrow Morning Nine o'Clock.

Thursday, February 2, 1775.

The House met.

Mr. *Kinsley*, from the Committee appointed for that Purpose, brought in a Bill, entitled, *An Act to regulate Schoolmasters in the Province of New-Jersey*, which was read ; and on the Question, Whether the same be read a second Time ? It passed in the Negative ;

Ordered,
That the said Bill do lie on the Table.

The Petition of a Number of Freeholders and Inhabitants of that Part of *Somerset* lying in the Borough of *Elizabeth*, and the Part of said County within the Township of *Bernard*, praying that they may be annexed to *Essex* County, were read the second Time ;

Ordered,
That the further Consideration thereof be referred to the next Session.

The House adjourned till Two, P. M.

The House met.

The Petitioners for and against the Road from *Bergen* Point along *Newark* Bay to *Paulus-Hook*, &c. attending this Day, pursuant to the Order of the House, were called in, and the several Petitions for and against said Road being read, and the Evidences and Allegations of the Parties fully heard ;

Ordered,

Ordered,

That the Determination on the said Petitions be deferred until To-morrow Morning.

The House adjourned till To-morrow Morning Nine o'Clock.

Friday, February 3, 1775.

The House met.

Mr. *Mebelm* reported, that Mr. *Elmer* and himself delivered the Bill with them intrusted to the Speaker of the Council.

A Message from the Council by Mr. *Parker*.

Ordered,

COUNCIL-CHAMBER Feb. 2, 1775.

THAT Mr. *Parker* do carry the Bill, entitled, *An Act to erect and establish Courts in the several Counties in this Colony, for the Trial of small Causes, &c.* with the Amendments thereto annexed, to the House of Assembly, and desire their Concurrence to the said Amendments.

By Order of the House,

CHA. PETTIT, *D. Clerk.*

Thereupon the said Bill was read, and the Amendments in their Places; and, upon the Question severally put upon the Amendments, the House agreed to them all except the Amendment in the 16th Section, to which the House disagreed, and in that Part adhere to the Bill.

Ordered,

That Mr. *Winds* and Mr. *Elmer* do carry back the Bill and Amendments to the Council and acquaint them therewith.

The House resumed the Consideration of the Evidence offered on the Hearing Yesterday, for and against the Road from *Bergen Point* along *Newark* to *Paulus-Hook*, &c. and, after some Debate thereon, on the Question,

Ordered,

That the Petitioners have Leave to bring in a Bill to establish a Road from *Bergen Point* up *Newark Bay* to the North Side of the Lands of *Jacob Van Horne*, and from thence eastwardly along his Line to the Road commonly called the *Old Road* as now laid out, and that the same be repaired and amended by the Owners of the Ferries petitioning for the same.

Yeas.

Mr. *Combs*,
Mr. *Taylor*,
Mr. *Crane*,
Mr. *Fisher*,
Mr. *Winds*,
Mr. *Kinsey*,
Mr. *Hewlings*,
Mr. *Sykes*,

Yeas.

Mr. *Hinchman*,
Mr. *Hand*,
Mr. *Eldridge*,
Mr. *Tucker*,
Mr. *Mebelm*,
Mr. *Sheppard*,
Mr. *Elmer*,
Mr. *Pettit*.

Nays.

Mr. *Wetherill*,
Mr. *Lawrence*,
Mr. *Garritse*,
Mr. *Roy*,
Mr. *Dey*,
Mr. *Demarest*,
Mr. *Ford*.

The

The Petition from the Managers appointed in the Act for clearing the Obstructions of the River *Passaick*, between the *Little Falls* and *Day's Bridge*, &c. was read the second Time ; and on the Question,

Ordered,

That the said Petition do lie on the Table.

A Petition was presented from divers Inhabitants of *Suffex* County lying to the Eastward of *Lawrence's* Line, praying a Law may be passed confirming them and the other Inhabitants settled within the Angle disputed between the Eastern and Western Proprietors in their Titles purchased under the Eastern Proprietors ; which was read, and ordered a second Reading.

A Petition was presented from a Number of Inhabitants of *Nottingham* in the County of *Burlington*, praying the House will take some Measures to settle the unhappy Disputes between *Great-Britain* and the Colonies ; which was read, and ordered a second Reading.

Two Petitions were presented from a Number of Inhabitants of the lower Part of *Suffex* County, and eight Petitions from the northern Part of *Hunterdon*, praying a Law to erect the upper or northern Part of the County of *Hunterdon* into a separate County ; which were read, and ordered a second Reading.

Mr. *Fisher*, in Behalf of the Petitioners, brought in a Bill, entitled, *An Act for preserving of Oysters in the Colony of New-Jersey* ; which was read, and ordered a second Reading.

On Motion made,

It is the Opinion of and this House do advise, that the present Committee of Correspondence may draw any Part of the Sum of *One Thousand Pounds*, made subject to their Order by an Act passed at the last Session, not exceeding *Three Hundred Pounds*, to pay the Expences of the Delegates appointed by this House to attend the intended Congress, and that this House will allow thereof.

A Message from the Council by Mr. *Parker*.

Ordered,

COUNCIL-CHAMBER, Feb. 3, 1775.

THAT Mr. *Parker* do carry back to the House of Assembly the Bill, entitled, *An Act to erect and establish Courts in the several Counties in this Colony, for the Trial of small Causes*, &c. and acquaint them that this House do recede from the Amendment made to the 16th Section of said Bill ; and also that Mr. *Parker* do acquaint the House of Assembly, that this House have passed the Bill, entitled, *An Act to assess the Township of Amwell in order to reimburse Joseph Moore*, &c. without any Amendment,

By Order of the House,

CHA. PETTIT, D. Clerk.

Ordered,

That the said Bill, entitled, *An Act to erect and establish Courts in the several Counties of this Colony, for the Trial of small Causes*, &c. as amended and agreed upon by both Houses, be re-engrossed.

A Petition was presented by sundry Inhabitants of the County of *Middlesex* against a Law for the Manumission of Slaves; which was read, and ordered a second Reading.

A Message from His Excellency by Mr. D. Secretary *Pettit*.

MR. Speaker, His Excellency is in the Council-Chamber, and ready to receive the Address of the House:

Whereupon Mr. Speaker left the Chair, and with the House went to wait upon His Excellency; and being returned Mr. Speaker resumed the Chair and reported, that the House had waited on His Excellency with their Address in these Words, *viz.*

To His Excellency WILLIAM FRANKLIN, Esq. Captain-General, Governor and Commander in Chief, in and over the Colony of New-Jersey, and Territories thereon depending in America, Chancellor and Vice-Admiral in the same, &c.

The Humble ADDRESS of the REPRESENTATIVES of said Colony in General Assembly convened.

May it please your Excellency,

WE, His Majesty's loyal and dutiful Subjects, the Representatives of the Colony of *New-Jersey*, in General Assembly convened, have taken into our Consideration your Excellency's Speech at the Opening of the present Session.

We should have been glad that your Excellency's Inclinations to have given us as early an Opportunity of transacting the Publick Business as was consistent with our "Convenience" had terminated in a Manner more agreeable to your Design, and more favourable to us, than it really has done on the present Occasion. If the Petitions which we understand have been presented to you had been granted, we should have had a Meeting more convenient to us than the Present, and that Meeting perhaps would have prevented some of those "alarming Transactions" which your Excellency's Apprehension of your Duty leads you to inform us, as having happened in this Colony. We thank you for your Intention to oblige us, but that it may not be so entirely frustrated in future, permit us to inform you, it will be much the most agreeable to us that the Meeting of the House, to do Publick Business, should not be postponed to a Time later than when the Bill for the Support of Government expires.

We are sorry to hear, that in your Excellency's Opinion, there has been of late any "alarming Transactions" in this and the neighbouring Colonies, our Consent to or Approbation of which may lead the good People we represent into "Anarchy, Misery, and all the Horrors of a "Civil War." It is true, you are pleased to tell us, that this destructive Mode of Proceeding has been adopted but "in Part" by some of the Inhabitants of this Colony. We assure you that we neither have nor do intend to give our Approbation to Measures destructive to the Welfare of our Constituents, and in which we shall be equally involved with them—their Interests and our own we look upon as inseparable—

no Arguments are necessary to prevail on us to endeavour to prevent such impending Calamities; and, if we should at any Time mistake our Duty so much, we hope your Regard to the People will induce you to exert the Prerogative, and thereby give them the Choice of other Representatives, who may act with more Prudence. The Uncertainty, however, to what “*alarming Transactions*” in particular you refer, renders it sufficient for us to assure you only, that we profess ourselves to be the loyal Subjects of the King, from whose Goodness we hope to be relieved from the present unhappy Situation; that we will do all in our Power to preserve that excellent Form of Government under which we at present live; and that we neither intend to usurp the Rights of others, nor suffer any vested in us by the Constitution to be wrested out of our Hands by any Person or Persons whatsoever.

We sincerely lament the unhappy Differences which at present subsist between *Great-Britain* and her Colonies.—We shall heartily rejoice to see the Time when they shall subside on Principles consistent with the Rights and Interests of both, which we ardently hope is not far off; and though we cannot conceive how the separate Petition of one Colony is more likely to succeed than the united Petitions of all; yet, in order to shew our Desire to promote so good a Purpose by every proper Means, we shall make Use of the Mode pointed out by your Excellency, in Hopes it will meet with that Attention which you are pleased to assure us will be paid to the Representatives of the People.

We have already resolved to support His Majesty’s Government—and we beg Leave to assure your Excellency, that though we are warmly attached to that Liberty, which, as Subjects of our august Monarch, we apprehend ourselves to be justly entitled to, and firmly resolved to preserve it by every constitutional Means in our Power; yet we shall with Pleasure lay hold of every proper Occasion to manifest that Loyalty to his Person, and Regard to the Constitution, which, as Subjects and Free-men, can be reasonably expected from us.

HOUSE of ASSEMBLY, }
Feb. 1st, 1775. }

By Order of the House,

CORTLAND SKINNER, *Speaker.*

To which His Excellency was pleased to make the following Answer.

GENTLEMEN,

WERE I to give such an Answer to your Address as the peculiar Nature of it seems to require, I should be necessarily led into the Explanation and Discussion of several Matters and Transactions, which, from the Regard I bear to you, and the People of this Colony, I would far rather have buried in perpetual Oblivion.

It is, besides, in vain now to argue on the Subject, as you have, with a most uncommon and unnecessary Precipitation, given your entire Approbation to that destructive Mode of Proceeding, which I so earnestly warned you against.

Whether, after such a Resolution, the Petition you mention can be reasonably expected to produce any good Effect; and whether you or I have

have best consulted the true Interests of the People on this important Occasion, I shall leave others to determine.

You may be assured, however, that the Advice I gave you was totally uninfluenced by any sinister Motive whatever. It came from an Heart sincerely devoted to my native Country, whose Welfare and Happiness depend, as I conceive, upon a Plan of Conduct very different from what has been hitherto adopted.

The House adjourned till Three, P. M.

The House met.

A Petition was presented by a Number of Inhabitants of *New Barbadoes* and *Hackinsack* in the County of *Bergen*, praying a Law laying a Penalty on every Person drawing the Bridge commonly called the *New Bridge*, and leaving the same open over *Hackinsack* River, &c. which was read, and ordered a second Reading.

The Bill, entitled, *An Act for raising the Sum of Three Hundred Fifty-seven Pounds Fourteen Shillings and Eleven-pence, Proclamation Money, on the Inhabitants of the County of Somerset, for repaying certain Persons therein named the Money they have advanced in rebuilding Queens Bridge*, was read the second Time; on the Question,

Ordered,

That the same be engrossed.

The

DR. STEPHEN SKINNER, Account of the Sinking—

To Balance of Account 7th September 1772,	-	-	-	£. 7984	3	3.
To Cash received of Middlesex County Deficiency 1770,	-	-	-			
To ditto Monmouth Deficiency,	-	-	-	£. 654	16	0
To ditto Somerset ditto,	-	-	-	243	17	8
	-	-	-	78	13	5
					977	7 1

To the Sinking Fund Tax directed to be raised for the Year 1772, viz.

<i>Bergen,</i>	830	10	0
<i>Essex,</i>	928	14	0
<i>Middlesex,</i>	1090	8	0
<i>Monmouth,</i>	1336	8	0
<i>Somerset,</i>	1130	2	0
<i>Morris,</i>	904	5	0

6220 7 0

To the Sinking Fund Tax directed to be raised 1773, viz.

<i>Bergen,</i>	830	10	0
<i>Essex,</i>	928	14	0
<i>Middlesex,</i>	1090	8	0
<i>Monmouth,</i>	1336	8	0
<i>Somerset,</i>	1130	2	0
<i>Morris,</i>	904	5	0

6220 7 0

£. 21402 4 4

The Bill, entitled, *An Act for raising the Sum of One Hundred Twenty-two Pounds Fourteen Shillings and Three-pence, Proclamation Money, on the Inhabitants of the Counties of Middlesex and Somerset, for repaying the Managers of the Landing Bridge the Money they have advanced for completing the aforesaid Bridge*, was read the second Time; on the Question,

Ordered,
That the said Bill be engrossed.

The House adjourned till To-morrow Morning Nine o'Clock.

Saturday, February 4, 1775.

The House met.

Mr. *Lawrence*, from the Committee appointed to join a Committee of the Council to adjust and settle the late and present Eastern Treasurers Accounts, &c. and burn the cancelled Money in their Hands, reported, that at several Meetings for those Purposes they had adjusted and settled the said Accounts, and burnt the said cancelled Money, and with Leave he delivered the said Accounts to the House, which were respectively read, and the same are as follow, *viz.*

Fund with the Province of *NEW-JERSEY*.

CR.

By Current Bills of Credit cancelled by the Justices and Freeholders, as per their Certificate, *May 1773*, in full of the Tax for the Year 1770, and this Day burned,

£. 2741 3 6

By Current Bills of Credit cancelled by the Justices and Freeholders, as per their Certificate, in *May 1773*, Part of the Tax 1771, and this Day burned,

1679 5 0

£. 4420 8 6

By sundry Deficiencies of Taxes not paid in, *viz.* for the Year 1772,

Middlesex,
Monmouth,
Somerset,

£. 515 4 0
211 17 5
486 9 2

Balance to Account Current,

1213 10 7
15768 5 3

£. 21402 4 4

Perth-Amboy, January 23, 1775.

By Order of the Committees,

JOHN STEVENS,
RICHARD LAWRENCE.

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DR.

DR. STEPHEN SKINNER, Account Support Go—

To a Tax ordered to be levied for Support
of Government for the Year 1773, viz.

Bergen,	£.232	11	0
Essex,	260	1	0
Somerset,	316	9	0
Middlesex,	305	6	0
Monmouth,	374	4	0
Morris,	353	4	0

£. 1741 15 0

DR. STEPHEN SKINNER, his Account Current—

To Balance of Accounts settled by the Com-
mittee, Sept. 7, 1772 — —

£. 6711 18 8½

Deduct therefrom the Money stolen from the
Treasury July 21, 1768 -

6570 9 4

To Balance of Sinking Fund - -

£. 141 9 4½

To Balance Support Government - -

15768 5 3

To Cash for Exchanging ragged Bills - -

485 15 0

To Ditto of John Wetherill for Fine of a Pedlar - -

5000 0 0

7 10 0

£. 21402 19 7½

DR. STEPHEN SKINNER, Esq. his Account Current—

To Balance of Accounts settled by the Committees, Sep. 7, 1772 £. 6711 18 8½

To Balance of Sinking Fund - -

15768 5 3

To Balance of Support Government - -

485 15 0

To Cash for Exchanging ragged Bills - -

5000 0 0

To Ditto of John Wetherill for Fine of a Pedlar - -

7 10 0

£. 27973 8 11½

vernment with the Province of *NEW-JERSEY*, CR.

By fundry Deficiencies of Taxes not paid in,
viz. to be accounted for by Mr. Treafurer
Smyth,

<i>Essex</i> ,	£.260	1	0
<i>Somerfet</i> ,	316	9	0
<i>Middlefex</i> ,	305	6	0
<i>Monmouth</i> ,	374	4	0

Balance carried to Account current, - - - - £.1256 0 0

485 15 0

Perth-Amboy, January 23, 1775.

By Order of the Committees,

JOHN STEVENS,
RICHARD LAWRENCE.

with the Province of *NEW-JERSEY*. CR.

By Amount of fundry Vouchers produced, indorfed and allowed	£. 2791	13	4
By Cash paid <i>John Smyth</i> per Receipt	—	—	17111 6 3½
By Cash paid <i>John Smyth</i> per Receipt	—	—	1500 0 0

£. 21402 19 7½

Perth-Amboy, January 24, 1775.

STEPHEN SKINNER.

THE above is the Account of the late Treafurer as exhibited by him to us, but to which your Committees could not agree, as the Sum of £. 6570:9:4 is deducted, which Sum is said to be stolen out of the Treafury, and for which an Action is now depending and undetermined: Therefore state the following Account.

By Order of the Committees, JOHN STEVENS,
RICHARD LAWRENCE.

with the Province of *NEW-JERSEY*, CR.

By Amount of fundry Vouchers produced, indorfed and allowed	£. 2791	13	4
By Cash paid <i>John Smyth</i> , Esq. the present Treafurer, as per Receipts	—	—	18611 6 3½
Balance due to the Province	—	—	6570 9 4½

£. 27973 8 11½

Perth-Amboy, January 24, 1775.

By Order of the Committees,

JOHN STEVENS,
RICHARD LAWRENCE.

DR.

DR. JOHN SMYTH, Account of the Sinking Fund—

To Cash received on Account of Deficiency
for the Year 1772, viz.

Middlesex,	£. 515	4	0
Monmouth,	211	17	5
Somerset,	486	9	2
	<hr/>		
	£. 1213	10	7

To the Sinking Fund Tax directed to be raised
for the Year 1774, viz.

Bergen,	£. 996	12	0
Effex,	1114	7	0
Middlesex,	1308	10	0
Monmouth,	1603	14	0
Somerset,	1356	3	0
Morris,	1085	2	0
	<hr/>		
	£. 7464	8	0
	<hr/>		
	£. 8677	18	7

DR. JOHN SMYTH, Esq. Account of Support of Go—

To Cash received for County Deficiencies for
the Year 1773, viz.

Effex,	£. 260	1	0
Somerset,	316	9	0
Middlesex,	305	6	0
Monmouth,	374	4	0
	<hr/>		
	£. 1256	0	0

To a Tax ordered to be levied for Support of
Government for the Year 1774, viz.

Bergen,	£. 232	11	0
Effex,	260	1	0
Somerset,	316	9	0
Middlesex,	305	6	0
Monmouth,	374	4	0
Morris,	253	4	0
	<hr/>		
	£. 1741	15	0
	<hr/>		
	£. 2997	15	0

with the Province of *NEW-JERSEY*. CR.

By current Bills of Credit laid before the Justices and Freeholders, as per their Certificate, *May 1774*, in Part of the Tax 1771, and this Day burned, — — £. 4237 6 0
By fundry Deficiencies of Taxes not paid in for the Year 1774, viz.

Effex, £. 467 12 5
Middlesex, 1308 10 0

Balance to Account Current £. 1776 2 5
2664 10 2

£. 8677 18 7

Perth-Amboy, February 2, 1775.

By Order of the Committees, JOHN STEVENS,
RICHARD LAWRENCE.

vernment with the Province of *NEW-JERSEY*. CR.

By fundry Deficiencies of Taxes not paid in, viz.

Effex, £. 260 1 0
Middlesex, 307 4 2½
Monmouth, 610 7 9

Balance carried to Account Current, £. 1177 12 11½
1820 2 0½

£. 2997 15 0

Perth-Amboy, February 2, 1775.

By Order of the Committees, JOHN STEVENS,
RICHARD LAWRENCE.

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DR.

DR.

JOHN SMYTH, his Account Cur—

To Cash received of the late Treasurer,	£. 17111	6	3
To ditto of ditto,	1500	0	0
			£. 18611 6 3
To Balance of Sinking Fund,	—	—	2664 10 2
To Balance of Support of Government,	—	—	1820 2 0½
To Cash of <i>Joseph Skelton</i> for Fine of a Pedlar,	—	—	7 10 0
To Balance received in full of old Arrears for the County of <i>Middlesex</i> ,			82 11 0½
			£. 23185 19 6

DR. JOHN SMYTH, Treasurer, on Account of Old Ar—
the Third, entitled, *An Act to enforce the Payment of se—*

To old Arrears ordered to be levied in 1773; viz.

<i>Middlesex</i> ,	£. 82	11	0½
<i>Bergen</i> ,	21	4	9½
<i>Somerset</i> ,	1	5	0
<i>Essex</i> ,	72	6	5½
<i>Ditto</i> ,	42	16	0
	£. 220	3	3

Mr. *Tucker*, one of the Committee to settle the Accounts of the present and late Treasurer, informed the House, that the present Treasurer said he had not received all the Balance due to the Province, and moved that a Committee be appointed to inquire into the present Situation of the Treasury, the Monies therein, and if any Deficiencies into such Deficiency, and the Causes thereof, and to make Report thereon: Whereupon the previous Question being demanded, whether the Motion is necessary at this Time? It was carried in the Affirmative: The Question was thereupon put on the said Motion, and carried in the Affirmative, *Nem. Con.*

Ordered,

rent with the Province of *NEW-JERSEY*. CR.

By fundry Vouchers produced, indorsed and allowed, including
 Support of Government, War Fund, and Bounties, £. 2635 5 7
 Balance due the Province, ———— £. 20550 13 11

£. 23185 19 6

Perth-Amboy, February 3, 1775.

JOHN SMYTH, Treasurer.

BESIDES the above Balance there is in the present Treasurer's Hands outstanding Debts on Account of the parliamentary Donations; a Bond and Mortgage from Lord *Stirling* for £. 2605:18:8, of which no Part is paid; also Bonds and Mortgages from *John* and *Gabriel Ogden* for £. 1753:16:3, of which last the present Treasurer has received £. 100:0:0—the Sum of £. 160:0:0 received on same Account being accounted for by the late Treasurer in 1771.

By Order of the Committees,

JOHN STEVENS,
RICHARD LAWRENCE.

rears mentioned in an Act passed in the 12th Year of GEORGE CR.
veral old Arrears due to the Treasury of NEW-JERSEY.

1775, *January 30.*

By Cash received from the County of *Middlesex*, and carried
 to the Credit of the Province in Account Current with the
 Treasurer,

Balance due the Province,

£. 82 11 0½
 137 12 2½

£. 220 3 3

Perth-Amboy, February 3, 1775.

By Order of the Committees,

JOHN STEVENS,
RICHARD LAWRENCE.

Ordered,

That Mr. *Kinsey*, Mr. *Wetherill*, Mr. *Taylor*, Mr. *Combs* and Mr. *Elmer*, or any three of them, be a Committee to inquire into the present Situation of the Treasury, the Monies therein, and if any Deficiencies into such Deficiencies, and the Causes thereof, and make Report to the House.

Mr. *Crane*, in Behalf of the Petitioners pursuant to Leave given, brought in a Bill, entitled, *An Act to erect and establish a Road from the southwestermost Point of Bergen up Newark Bay towards Paulus-Hook, and other Purposes therein mentioned*; which was read, and ordered a second Reading.

The

The Bill for *Support of Government* was read the second Time: Whereupon the House resolved itself into a Committee of the whole House on the said Bill for *Support of Government*; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Crane*, Chairman of the Committee, reported, that the Committee had made some Progress in the Matters to them referred, and desired Leave to sit again; to which the House agreed.

The House adjourned till Monday Morning Nine o'Clock.

Monday, February 6, 1775.

The House met.

A Petition was presented by a Number of Inhabitants of *Middlesex* County, praying a Law for Manumission of Slaves; which was read, and ordered a second Reading.

A Petition was presented by a great Number of Inhabitants of *Monmouth* County, against the passing a Law for the Manumission of Slaves; which was read, and ordered a second Reading.

The Re-engrossed Bill, with the Council's Amendments, entitled, *An Act to erect and establish Courts in the several Counties in this Colony, for the Trial of small Causes, &c.* was read and compared; on the Question, *Resolved,*

That the same do pass.

Ordered,

That the Speaker do sign the same.

Ordered,

That Mr. *Dey* and Mr. *Sheppard* do carry the said Bill to the Council.

Mr. *Dey* reported, that Mr. *Sheppard* and himself delivered the Bill with them intrusted to the Speaker in Council.

The Bill, entitled, *An Act for the preserving of Oysters in the Colony of New-Jersey*, was read the second Time; on the Question,

Ordered,

That the said Bill be engrossed.

The House adjourned till Three, P. M.

The House met.

A Message from the Council by Mr. *Hopkinson*.

Ordered,

COUNCIL-CHAMBER; Feb. 6, 1775.

THAT Mr. *Hopkinson* do acquaint the House of Assembly that the Bill, entitled, *An Act to enable the Owners and Possessors of the Meadows and Swamps lying on Ramboe's Run, in the Township of Deptford in the County of Gloucester, to keep up and maintain the Bank, &c.* is passed this House without any Amendment.

By Order of the House,

CHA. PETTIT, D. Clerk.

A Petition

A Petition was presented from *John Winants*, an Insolvent Debtor in the Gaol of *Elizabeth-Town*, praying a Law for his Relief, &c. which was read, and ordered a second Reading.

The Bill, entitled, *A supplementary Act to an Act, entitled, An Act to enable the Proprietors and Possessors of the Meadows, Swamps and low Lands of the River Passaick and Dead River, to clear the same, &c.* was read the second Time; on the Question, Whether the House will go into the Consideration of the Matter now or refer the same to the next Session? It passed for referring:

Ordered,

That the Consideration thereof be referred to the next Session accordingly.

Mr. *Kinsey*, from the Committee appointed to inquire into the present Situation of the Treasury, &c. made the following Report:

WE, the Subscribers appointed by the House of Assembly as a Committee to inquire into the present Situation of the Eastern Treasury, the Monies therein, and the Deficiencies, beg Leave to report to the House—

That from the Information of the Treasurer there is a Deficiency of upwards of *Five Thousand Pounds*, Monies which ought to have been cancelled and sunk some Time past in the Eastern Division.

The present Treasurer informed your Committee, that upwards of six Weeks ago he applied to the late Treasurer of the Eastern Division to settle his Accounts with him, which he put off until a Committee of this House had applied to the late Treasurer for that Purpose.

That when the present Treasurer so applied to the late Treasurer, the last told him there was no Necessity for him then to settle the Accounts finally—that he had not the Whole by about *Five Thousand Pounds*—the House would see the Deficiencies, and would of Course order him to pay it into the present Treasurer's Hands.

The present Treasurer shewed to your Committee a Bond given by the late Treasurer, and the Honourable *James Parker*, Esq. for the Deficiency due to the Province; which Bond is dated the fourth Day of the present Month of *February*, and is in the Penalty of *Ten Thousand Six Hundred and Sixty-nine Pounds*, and is conditioned to pay *Five Thousand Three Hundred and Thirty-four Pounds Twelve Shillings and Ten-pence*, Proclamation Money, in *March* next. The present Treasurer mentioned to your Committee, that he was willing to be sworn to the Truth of the Information so given by him to your Committee.

Your Committee have also inspected into the Security given by the Treasurer, which Bond your Committee beg Leave to lay before the House.

All which is submitted by

Feb. 6, 1775.

JAMES KINSEY, JOHN COMBS,
JOHN WETHERILL, THEOPHILUS ELMER,
EDWARD TAYLOR,

The Engrossed Bill, entitled, *An Act for raising the Sum of Three Hundred Fifty-seven Pounds Fourteen Shillings and Three-pence, Proclamation*

tion Money, on the Inhabitants of the County of Somerset, for repaying certain Persons therein named the Money they have advanced in rebuilding Queens Bridge, was read and compared; on the Question,

Resolved,

That the same do pass.

Ordered,

That the Speaker do sign the same.

The Engrossed Bill, entitled, *An Act for raising the Sum of One Hundred Twenty-two Pounds Fourteen Shillings and Three-pence, Proclamation Money, on the Inhabitants of the Counties of Middlesex and Somerset for repaying the Managers of the Landing Bridge the Money they have advanced for completing the said Bridge*; on the Question,

Resolved,

That the same do pass.

Ordered,

That the Speaker sign the same.

Ordered,

That Mr. Roy and Mr. Combs do carry the said Bills to the Council for Concurrence.

The House again, according to Order, resolved itself into a Committee of the whole House on the Bill for the Support of Government; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. Crane, Chairman of the Committee, reported, that the Committee had gone through the Matters to them referred, and had come to several Resolutions, which he was ready to report whenever the House would please to receive the same;

Ordered,

That the said Report be made immediately:

Whereupon Mr. Crane reported the Resolutions of the Committee as follow, viz.

1. *Resolved,*

That in and by the said Bill, when passed into a Law, there be paid to His Excellency WILLIAM FRANKLIN, Esq. Governor of this Colony, at the Rate of £. 1200 per Annum, Proclamation Money, to commence the first Day of October last; and, on the Question, whether the House agreed to the said Sum or not? It passed in the Affirmative, as follows:

Yeas.	Yeas.	Nays.
Mr. Crane,	Mr. Hewlings,	Mr. Combs,
Mr. Garritse,	Mr. Hinchman,	Mr. Wetherill,
Mr. Fisher,	Mr. Eldridge,	Mr. Taylor,
Mr. Roy,	Mr. Tucker,	Mr. Lawrence,
Mr. Dey,	Mr. Mehelm,	Mr. Sykes,
Mr. Demarest,	Mr. Sheppard,	Mr. Hand,
Mr. Ford,	Mr. Elmer,	
Mr. Winds,	Mr. Pettit.	who voted for £. 1000.
Mr. Kinsey,		

2. To

2. To *David Ogden*, Esq. Second Justice of the Supreme Court of this Colony, at the Rate of £. 150 per Annum, Money aforesaid; and, on the Question, whether the House agrees thereto or not? It passed in the Affirmative, as follows:

Yeas.	Yeas.	Nays.	Nays.
Mr. Crane,	Mr. Sykes,	Mr. Combs,	Mr. Winds,
Mr. Fisher,	Mr. Hinchman,	Mr. Wetherill,	Mr. Hand,
Mr. Roy,	Mr. Mehelm,	Mr. Taylor,	Mr. Eldridge,
Mr. Demarest,	Mr. Sheppard,	Mr. Lawrence,	Mr. Tucker,
Mr. Ford,	Mr. Elmer,	Mr. Garritse,	
Mr. Kinsey,	Mr. Pettit.	Mr. Dey,	
Mr. Hewlings,		who voted for £. 100.	

3. To *Richard Stockton*, Esq. Third Justice of the Supreme Court of this Colony at the Rate of £. 150 per Annum, Money aforesaid; and, on the Question, whether the House agrees thereto or not? It passed in the Affirmative, as follows:

Yeas.	Yeas.	Nays.	Nays.
Mr. Crane,	Mr. Hewlings,	Mr. Combs,	Mr. Winds,
Mr. Fisher,	Mr. Sykes,	Mr. Wetherill,	Mr. Hand,
Mr. Roy,	Mr. Hinchman,	Mr. Taylor,	Mr. Eldridge,
Mr. Demarest,	Mr. Mehelm,	Mr. Lawrence,	Mr. Tucker,
Mr. Ford,	Mr. Sheppard,	Mr. Garritse,	
Mr. Kinsey,	Mr. Elmer,	Mr. Dey,	
	Mr. Pettit.	who voted for £. 100.	

4. To *Cortland Skinner*, Esq. Attorney-General of this Colony, at the Rate of £. 40 per Annum, Money aforesaid; and, on the Question, whether the House agrees thereto or not? It passed in the Affirmative, as follows:

Yeas.	Yeas.	Nays.	Nays.
Mr. Crane,	Mr. Kinsey,	Mr. Combs,	Mr. Hand,
Mr. Garritse,	Mr. Hewlings,	Mr. Wetherill,	Mr. Eldridge,
Mr. Fisher,	Mr. Sykes,	Mr. Taylor,	Mr. Tucker,
Mr. Roy,	Mr. Hinchman,	Mr. Lawrence,	Mr. Sheppard,
Mr. Demarest,	Mr. Mehelm,	Mr. Dey,	
Mr. Ford,	Mr. Elmer,	who voted for £. 30.	
Mr. Winds,	Mr. Pettit.		

5. To *Samuel Smith* and *John Smyth*, Esquires, Treasurers of this Colony, each at the Rate of £. 40 per Annum, Money aforesaid; to which the House agreed.

6. To the Clerk of the Council for the Time being, at the Rate of £. 30. per Annum, Money aforesaid; to which the House agreed.

7. To the Agent of this Colony for the Time being, at the Rate of £. 100 per Annum, Money aforesaid; to which the House agreed.

8. To the Clerk of the Circuits for the Time being, residing in this Colony,

Colony, the Sum of £. 20 per Annum, Money aforesaid; to which the House agreed.

9. To the Doorkeeper of the Council of this Colony, at the Rate of *Ten Pounds* per Annum, Money aforesaid; to which the House agreed.

10. To His Excellency WILLIAM FRANKLIN, Esq. at the Rate of £. 60 per Annum, Money aforesaid, for House Rent, provided he makes *Perth-Amboy* or *Burlington* the Place of his Residence; to which the House agreed.

11. To the Justice or Justices of the Supreme Court of this Colony, for attending the Circuit Courts and Courts of Oyer and Terminer, in the Manner prescribed by the said Act, the Sum of *Ten Pounds* for each Time; to which the House agreed.

12. To each of the Council for the Time being, for the Time they may attend at any Sitting of General Assembly within the Time, *Eight Shillings* per Day; on the Question, Whether the Sum be *Eight Shillings* or *Six Shillings*? It was carried for *Eight Shillings* as follows, viz.

For Eight Shillings per Diem.

Mr. Crane,	Mr. Winds,
Mr. Garritse,	Mr. Kinsey,
Mr. Fisher,	Mr. Hewlings,
Mr. Roy,	Mr. Mehelm,
Mr. Dey,	Mr. Elmer,
Mr. Demarest,	Mr. Pettit.
Mr. Ford,	

For Six Shillings per Diem.

Mr. Combs,	Mr. Eldridge,
Mr. Wetherill,	Mr. Tucker,
Mr. Taylor,	Mr. Sheppard.
Mr. Lawrence,	
Mr. Sykes,	
Mr. Hinckman,	
Mr. Hand,	

13. To *Jonathan Deare*, one of the Clerks of the House of Representatives, or any other Clerk, for his Attendance, the Sum of *Ten Shillings* per Day, for the Time he hath or shall attend at any Sitting of General Assembly during the Continuance of this Act; also the Sum of *Four-pence* per Sheet, reckoning Ninety Words to the Sheet, for entering the Minutes of any Sitting, during the Continuance of this Act, fair in the Journals, and copying the Laws and Minutes for the Printer; and to the said *Jonathan Deare*, the Sum of *Twelve Pounds* for Pen, Ink and Paper, and hiring Clerks to forward the Business of this Session; to which the House agreed.

14. To *Charles Pettit*, Esq. Deputy-Secretary, or to the Deputy-Secretary for the Time being, for copying publick Laws to send Home to *England*, during the Continuance of this Act, *Four-pence* per Sheet, reckoning Ninety Words to the Sheet; to which the House agreed.

15. To each of the Treasurers of this Colony, *Six-pence* per *Pound* for exchanging ragged and torn Bills of Credit of this Colony; to which the House agreed.

16. To *Isaac Collins*, or any other Printer hereafter to be appointed, for Printing the Minutes of the House of Representatives of any Sitting during the Continuance of this Act, and for Printing the Laws passed at any Sitting as aforesaid, or any other Printing, such Sums as *Hendrick Fisher*, *Stephen Crane*, *James Kinsey* and *Thomas Polgreen Hewlings*,

lings, Esquires, or any two of them, shall agree to be paid for the said Service ; to which the House agreed.

17. To the Sergeant at Arms for the Time being, who shall attend the Council, the Sum of *Three Shillings* per Diem ; and to the Sergeant at Arms, who shall attend the House of Representatives, the Sum of *Three Shillings* per Diem ; to which the House agreed.

18. To the Doorkeeper of the House of Representatives for the Time being, who shall attend the House in Manner aforesaid, the Sum of *Three Shillings* and *Six-pence* per Diem ; to which the House agreed.

19. To the Speaker, and every of the Members of the House of Representatives for the Time each of them shall attend at any Sitting of General Assembly, during the Continuance of this Act, *Eight Shillings* per Diem ; on the Question, whether the Sum be *Eight Shillings* or *Six Shillings* per Diem ? It was carried for *Eight Shillings*, as follows, viz.

For Eight Shillings per Diem.

Mr. Crane,	Mr. Winds,
Mr. Garritse,	Mr. Kinsey,
Mr. Fisher,	Mr. Hewlings,
Mr. Roy,	Mr. Mehelm,
Mr. Dey,	Mr. Elmer,
Mr. Demarest,	Mr. Pettit.
Mr. Ford,	

For Six Shillings per Diem.

Mr. Combs,	Mr. Hand,
Mr. Wetherill,	Mr. Eldridge,
Mr. Taylor,	Mr. Tucker,
Mr. Lawrence,	Mr. Sheppard.
Mr. Sykes,	
Mr. Hinchman,	

Ordered,

That the Bill *for Support of Government*, as reported and agreed to, be engrossed.

Mr. Roy reported, that Mr. Combs and himself delivered the Bills with them intrusted to Mr. Parker, one of the Council.

The House adjourned till To-morrow Morning Nine o'Clock.

Tuesday, February 7, 1775.

The House met.

The Engrossed Bill, entitled, *An Act for preserving of Oysters in the Colony of New-Jersey*, was read and compared ; on the Question,

Resolved,

That the same do pass.

Ordered,

That the Speaker do sign the same.

Ordered,

That Mr. Fisher and Mr. Mehelm do carry the said Bill to the Council for Concurrence.

It appearing to the House by the Accounts of the late and present Treasurers, that fundry Counties in the Eastern Division have not paid in their several Quotas of the Taxes laid on them by divers Acts of Assembly ; it is ordered by the House that the Treasurer of the Eastern Division do immediately collect the Sums of Money so due ; and that

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in future he shall not be allowed for any such Deficiency, unless he shall make it appear to the House that he has used the proper and legal Means to compel the Payment thereof.

Ordered,

That the Printer of this Colony do deliver the Votes and Laws of this Colony, for the Use of the Agent, to the Committee of Correspondence.

Ordered also,

That the Royal Confirmation of the Act, entitled, *An Act for establishing the Boundary or Partition Line between the Colonies of New-York and Nova-Cæfareia or New-Jersey, and for confirming the Titles and Possessions*, be recorded in the Secretary's Office of both Divisions of this Colony, and that this House will defray the Expence thereof, and that Mr. Speaker be desired to direct the same to be done as speedily as possible.

On Motion made,

It is ordered by the House that the late Treasurer do appear before the House at Ten o'Clock To-morrow Morning, in order that they may inquire of him concerning the Deficiency reported due from him to the Province, and that a Copy of this Order be served on him immediately.

Mr. *Fisher* reported, that Mr. *Mebelm* and himself delivered the Bill to them intrusted to the Speaker in Council.

The several Petitions from Insolvent Debtors were read the second Time: Whereupon a Motion was made that a Committee be appointed to prepare and bring in a supplementary Act to an Act, entitled, *An Act for the Relief of Insolvent Debtors*; on the Question it was carried in the Affirmative:

Yeas.	Yeas.	Nays.	Nays.
Mr. <i>Combs</i> ,	Mr. <i>Hinchman</i> ,	Mr. <i>Wetherill</i> ,	Mr. <i>Ford</i> ,
Mr. <i>Lawrence</i> ,	Mr. <i>Tucker</i> ,	Mr. <i>Taylor</i> ,	Mr. <i>Hand</i> ,
Mr. <i>Fisher</i> ,	Mr. <i>Mebelm</i> ,	Mr. <i>Crane</i> ,	Mr. <i>Eldridge</i> ,
Mr. <i>Winds</i> ,	Mr. <i>Elmer</i> ,	Mr. <i>Garritse</i> ,	Mr. <i>Sheppard</i> .
Mr. <i>Kinsey</i> ,	Mr. <i>Pettit</i> .	Mr. <i>Roy</i> ,	
Mr. <i>Hewlings</i> ,		Mr. <i>Dey</i> ,	
Mr. <i>Sykes</i> ,		Mr. <i>Demarest</i> ,	

Ordered,

That Mr. *Kinsey*, Mr. *Fisher*, Mr. *Mebelm*, Mr. *Tucker* and Mr. *Combs*, be a Committee to prepare and bring in a supplementary Act accordingly.

The several Petitions for and against the Manumission of Slaves were read the second Time; and on the Question, Whether the Consideration of the said Petitions shall be referred to the next Session or not? It was carried in the Affirmative:

Yeas.	Yeas.	Nays.	Nays.
Mr. <i>Lawrence</i> ,	Mr. <i>Hinchman</i> ,	Mr. <i>Combs</i> ,	Mr. <i>Winds</i> ,
Mr. <i>Crane</i> ,	Mr. <i>Tucker</i> ,	Mr. <i>Wetherill</i> ,	Mr. <i>Hand</i> ,
Mr. <i>Fisher</i> ,	Mr. <i>Mebelm</i> ,	Mr. <i>Taylor</i> ,	Mr. <i>Eldridge</i> .
Mr. <i>Roy</i> ,	Mr. <i>Sheppard</i> ,	Mr. <i>Garritse</i> ,	
Mr. <i>Kinsey</i> ,	Mr. <i>Elmer</i> ,	Mr. <i>Dey</i> ,	
Mr. <i>Hewlings</i> ,	Mr. <i>Pettit</i> .	Mr. <i>Demarest</i> ,	
Mr. <i>Sykes</i> ,		Mr. <i>Ford</i> ,	

Ordered,

Ordered,

That the further Consideration of said Petitions be referred to the next Session of Assembly.

The House adjourned till Three, P. M.

The House met.

Mr. Kinscy, from the Committee appointed for that Purpose, brought in a Bill, entitled, *A supplementary Act to an Act, entitled, An Act for the Relief of Insolvent Debtors*; which was read, and ordered a second Reading.

The House took into Consideration His Excellency's Message of the 30th Day of *January* last, which was read, together with Colonel *Robertson's* Letter and his Account, &c. Whereupon, after some Debate,
Resolved,

That this House will not allow the Charge for Sheets as charged in Colonel *Robertson's* Account.

Ordered,

That Mr. *Mehelm* and Mr. *Hewlings* do wait on His Excellency and inform him, that the House have taken his Message of the 30th of *January* last, relating to the Charge made by Colonel *Robertson* of *Three Hundred and Fifty-four Pounds Seven Shillings and Six-pence* for Sheets furnished the King's Troops in this Colony, and the Balance in his Hands of *Thirty-four Pounds Eight Shillings and Six-pence*, into their Consideration—

That the House beg Leave to acquaint his Excellency, that they cannot allow of the Charge so made, it being new, uncommon, and never allowed of by this Colony; and that the House request His Excellency will be pleased to pay the Balance in his Hands to the Eastern Treasurer.

The several Petitions from a Number of Inhabitants of the lower Part of *Sussex*, and the northern Part of *Hunterdon*, praying a Law to erect the upper or northern Part of the County of *Hunterdon* and lower Part of *Sussex* into a separate County, were read the second Time; on the Question,

Ordered,

That the further Consideration of said Petitions be referred to the next Session of Assembly.

The Bill, entitled, *An Act to confirm and establish a Road laid out by Virtue of an Act for laying out and establishing the Road from Bergen Point along up Newark Bay, and from thence to Paulus-Hook, &c.* was read the second Time; and being amended in the House, on the Question,

Ordered,

That the same be engrossed.

The House adjourned till To-morrow Morning Nine o'Clock.

Wednesday,

Wednesday, February 8, 1775.

The House met.

A Letter was presented to the House from the Honourable *Stephen Skinner*, Esq. which by Order of the House was read, and is as follows, viz.

Mr. SPEAKER,

THE Message of the House, ordering the late Treasurer to attend this Day at Ten o'Clock, to inquire of him the Deficiency of the Treasury, I have received; but as I have the Honour to be one of His Majesty's Council, I can't possibly attend till such Time as I have laid the Order before the Council, which I shall immediately do upon their Meeting.

As the Order is to inquire concerning the Deficiency of the Treasury, I can assure the House, that had I been apprized of their wanting the Publick Money, I should have taken Care that the Whole should have been in the Treasury for their Inspection; but as I have amply secured the Treasurer, I shall take Care that he shall have the whole Amount of the Bond I have given him within the Time appointed for cancelling the Publick Money.

*I am, with great Respect,
Your's and the House's most*

Feb. 8, 1775.

Humble Servant,

STEPHEN SKINNER.

The Engrossed Bill, entitled, *An Act to confirm and establish a Road laid out by Virtue of an Act, entitled, An Act for laying out and establishing a Road from Bergen Point along up Newark Bay, and from thence to Paulus-Hook, &c.* was read and compared; and, on the Question,

Resolved,

That the same do pass.

Ordered,

That the Speaker sign the same.

Ordered,

That Mr. *Crane* and Mr. *Winds* do carry the said Bill to the Council for Concurrence.

The Petition from several Constables of *Morris* County, praying a Law to raise the Constables Fees, &c. was read the second Time; on the Question,

Ordered,

That the said Petition do lie on the Table.

The Petitions from divers Inhabitants of the County of *Burlington*, for and against a Law for erecting a Bridge over *Affiscunk* Creek, in the City of *Burlington*, were read the second Time; on the Question,

Ordered,

That the further Consideration of the said Petitions be referred to the next Session of Assembly.

Mr.

Mr. *Crane* reported, that Mr. *Winds* and himself delivered the Bill with them intrusted to the Speaker in Council.

A Message from the Council by Mr. *Coxe*.

Ordered,

COUNCIL-CHAMBER, Feb. 8, 1775.

THAT Mr. *Coxe* do acquaint the House of Assembly that the Bill, entitled, *An Act for raising the Sum of Three Hundred Fifty-seven Pounds Fourteen Shillings and Eleven-pence, Proclamation Money, on the Inhabitants of the County of Somerset, for repaying, &c.* and the Bill, entitled, *An Act for raising the Sum of One Hundred Twenty-two Pounds Fourteen Shillings and Three-pence, Proclamation Money, on the Inhabitants of the Counties of Middlesex and Somerset, for repaying, &c.* are both passed by the Council without any Amendments.

By Order of the House,

CHA. PETTIT. D. Clerk.

The Petition of *Abraham Kitchel* of *Morris County*, praying Recompence for having taken the Number of the People in the Township of *Hanover*, with their Ages, Births, &c. was read the second Time:

Ordered,

That the several Persons who have taken a List of the Inhabitants do apply and lay their Accounts before the Justices and Freeholders of the several Counties, who are desired to certify to the House at the next Session, such Accounts, the Sums they apprehend the Persons entitled to, and whether the Persons really did such Service, in order that the House may consider and make Provision therefor; on the Question, Whether the House agrees thereto or not? It passed in the Affirmative, as follows:

Yeas.	Yeas.	Nays.
Mr. <i>Lawrence</i> ,	Mr. <i>Winds</i> ,	Mr. <i>Combs</i> ,
Mr. <i>Crane</i> ,	Mr. <i>Kinsley</i> ,	Mr. <i>Wetherill</i> ,
Mr. <i>Fisher</i> ,	Mr. <i>Sykes</i> ,	Mr. <i>Taylor</i> ,
Mr. <i>Roy</i> ,	Mr. <i>Hinchman</i> ,	Mr. <i>Garritse</i> ,
Mr. <i>Dcy</i> ,	Mr. <i>Tucker</i> ,	Mr. <i>Hand</i> ,
Mr. <i>Demarest</i> ,	Mr. <i>Sheppard</i> ,	Mr. <i>Eldridge</i> ,
Mr. <i>Ford</i> ,	Mr. <i>Pettit</i> .	Mr. <i>Elmer</i> .

The Petition of *Charles Queen*, late a Soldier in Captain *Johnson's* Company, in the *New-Jersey* Regiment, praying an Allowance for Pay, was read the second Time; and it appearing to the House that he has received his full Pay and more,

Ordered,

That the said Petition do lie on the Table.

The Petition from a Number of Inhabitants of *New Barbadoes* and *Hackinsack*, in the County of *Bergen*, praying a Law laying a Penalty on every Person drawing the *New Bridge* over *Hackinsack River*, &c. was read the second Time; on the Question,

Ordered,

That the Petitioners have Leave to bring in a Bill at the next Session,

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provided

provided they give Six Weeks Notice before the said Session in *Hugh Gaine's* News-Paper, and no Objections shall then appear.

The House adjourned till Three, P. M.

The House met.

Mr. *Mehelm* reported, that Mr. *Hewlings* and himself delivered the Message with them intrusted to His Excellency.

The Bill, entitled, *A supplementary Act to an Act, entitled, An Act for the Relief of Insolvent Debtors*, was read the second Time; on the Question, whether the said Bill be engrossed or not? It passed in the Affirmative, as follows:

Yeas.	Yeas.	Nays.	Nays.
Mr. <i>Combs</i> ,	Mr. <i>Sykes</i> ,	Mr. <i>Wetherill</i> ,	Mr. <i>Demarest</i> ,
Mr. <i>Lawrence</i> ,	Mr. <i>Tucker</i> ,	Mr. <i>Taylor</i> ,	Mr. <i>Ford</i> ,
Mr. <i>Fisher</i> ,	Mr. <i>Mehelm</i> ,	Mr. <i>Crane</i> ,	Mr. <i>Hinchman</i> ,
Mr. <i>Winds</i> ,	Mr. <i>Sheppard</i> ,	Mr. <i>Garritse</i> ,	Mr. <i>Hand</i> ,
Mr. <i>Kinfey</i> ,	Mr. <i>Elmer</i> ,	Mr. <i>Roy</i> ,	Mr. <i>Eldridge</i> .
Mr. <i>Hewlings</i> ,	Mr. <i>Pettit</i> .	Mr. <i>Dey</i> ,	

Ordered,

That the same be engrossed.

A Message from the Council by Mr. *Stockton*.

Ordered,

COUNCIL-CHAMBER. Feb. 8, 1775.

THAT Mr. *Stockton* do carry the Bill, entitled, *An Act for preserving of Oysters in the Colony of New-Jersey*, with the Amendments thereto annexed, to the House of Assembly, and desire their Concurrence in the said Amendments.

By Order of the House,

CHA. PETTIT, D. Clerk.

Whereupon the said Bill was read, with the Amendments in their Places; and, upon the Question severally put upon the Amendments, the House agreed to all the Amendments made by the Council.

Ordered,

That the said Bill with the Council's Amendments be re-engrossed.

The Petition from a Number of the Proprietors of the Western Division of this Colony, praying a Law for the final Settlement of the Line between the Eastern and Western Division of this Colony, was read the second Time; on the Question,

Ordered,

That the Consideration of the said Petition be referred to the next Session of Assembly.

The Petition from a Number of Inhabitants of *Suffex* County, lying to the Eastward of *Lawrence's* Line, praying a Law, &c. was read the second Time; on the Question,

Ordered,

Ordered,

That the same be referred to the next Session.

The Petition from a Number of Inhabitants of *Nottingham* in the County of *Burlington*, praying the House will take some Measures to settle the unhappy Differences between *Great-Britain* and the Colonies, was read the second Time; on the Question,

Ordered,

That the same be referred to the Committee appointed to prepare a Petition to His Majesty.

The House adjourned till To-morrow Morning Nine o'Clock.

Thursday, February 9, 1775.

The House met.

It appearing to the House, by the Report of the Committees appointed to settle the Accounts of the Eastern Treasury, that there ought to be therein upwards of £. 20,000; and the House being informed by the Eastern Treasurer, that there is therein upwards of £. 15,000, great Part of which is in Gold and Silver, and the Bills of Credit of this Colony: In order that the Colony may be secured from Accidents, Mr. *Kinsley* moves, that Leave be given to bring in a Bill for that Purpose, and that a Committee be appointed to consider of Ways and Means to effect it; and the previous Question being put, whether the Question be put on the said Motion or not? It passed in the Negative:

Yeas.	Nays.	Nays.
Mr. <i>Combs,</i>	Mr. <i>Lawrence,</i>	Mr. <i>Winds,</i>
Mr. <i>Wetherill,</i>	Mr. <i>Crane,</i>	Mr. <i>Hewlings,</i>
Mr. <i>Taylor,</i>	Mr. <i>Garritse,</i>	Mr. <i>Sykes,</i>
Mr. <i>Kinsley,</i>	Mr. <i>Fisher,</i>	Mr. <i>Hinchman,</i>
Mr. <i>Tucker,</i>	Mr. <i>Roy,</i>	Mr. <i>Hand,</i>
Mr. <i>Mebelm.</i>	Mr. <i>Dey,</i>	Mr. <i>Eldridge,</i>
	Mr. <i>Demarest,</i>	Mr. <i>Sheppard,</i>
	Mr. <i>Ford,</i>	Mr. <i>Pettit.</i>

A Petition was presented by a Number of Freeholders of *Hackinsack* and *New Barbadoes* in the County of *Bergen*, setting forth, that they labour under many Difficulties occasioned by the narrow Passage thro' the Draw-Bridge over *Hackinsack* River, and praying Relief, which was read; on the Question,

Ordered,

That the Consideration of the said Petition be referred to the next Session.

The Re-engrossed Bill, with the Council's Amendments, entitled, *An Act for the Preservation of Oysters in the Colony of New-Jersey*, was read and compared; on the Question,

Resolved,

That the same do pass.

Ordered,

Ordered,

That the Speaker do sign the same.

Ordered,

That Mr. *Fisher* and Mr. *Combs* do carry the said Bill to the Council.

On a Motion made by Mr. *Tucker*,

Resolved, Nem. Con.

That there is a large Deficiency in the Eastern Treasury of the Monies which either ought to be therein, or ought to have been cancelled and burned some Time past, and that it is a manifest Breach of Duty for any Treasurer of this Colony to apply any such Publick Money to any private Purposes whatsoever.

John Smyth, Esq. desiring to attend the House, was called in, and informed the House that he had entered into a new Bond with Securities for the true and faithful Execution of his Office of Treasurer of the Eastern Division, and desired to have the Sentiments of the House as to the Sufficiency of his Securities, and that his former Bond may be cancelled :

Whereupon the said Bond was read ; and, on the Question,

Resolved, Nem. Con.

That in the Opinion of this House his said Securities are very sufficient, and that his former Bond may and ought to be cancelled.

Mr. *Fisher* reported, that Mr. *Combs* and himself delivered the Bill with them intrusted to the Speaker in Council.

Mr. *Hewlings* from the Committee on Publick Accounts made the following Report :

DR. JOHN CARTY in Account with the Province of NEW-JERSEY, CR.

1774.	By this Sum he charges for			
July 7th,	carrying Instructions, &c.			
	to the Sheriffs of the dif-			
	ferent Counties in the			
	Province to number the			
	Inhabitants, - -	£.10	0	0
Sept. 13.	By this Sum for conveying			
	<i>William Wood</i> , a Prisoner			
	in <i>Gloucester</i> Gaol, on			
	Suspicion of Piracy, to			
	the City of <i>New-York</i> , by			
	a special Commission from			
	His Excellency Gover-			
	nor <i>Franklin</i> for that			
	Purpose, nine Days, at			
	25s. per Day, -	11	5	0
		<hr/>		
		£.21	5	0

DR. JOHN HOSKINS in Account with the Province of NEW-JERSEY, CR.

By Rent of a House pro-
vided for the Assembly
to sit in the last Session
at *Burlington*, - £.7 6 3 $\frac{1}{2}$

DR.

DR. JOHN SMYTH, Esq. in Account with the Province of NEW-JERSEY. CR.

1775. January,	By Cash paid John Thompson for twelve Windsor Chairs, and the Freight from New-York, -	£. 7	7	8
	By ditto paid Edward Hafswell for Wood for the House, -	4	11	3
	By ditto for Wood, Candles, &c. -		18	4
	By ditto for an Iron Chest for the Use of the Province, -	18	13	4
		£. 31	10	7

CHARLES PETTIT, Esq. in Account with the Province of NEW-JERSEY. CR.

By Cash advanced and Services performed by him since the last Session of Assembly per his Account delivered in, amounting to -	£. 22	19	4 ¹ / ₂
--	-------	----	-------------------------------

JAMES KINSEY, Esq. in Account with the Province of NEW-JERSEY. CR.

By Cash paid for Postage of sundry Letters, received from the Agent, -	£. 1	8	4
--	------	---	---

HENRY WILMOT, Esq. late Agent to the Province of NEW-JERSEY. CR.

To Cash received by Cortland Skinner of Samuel Smith, Esq. per his Order and Receipt with Mr. Smith, - - - -	£. 300	0	0
Balance due from the Province to Mr. Wilmot, - - - -	68	5	5 ¹ / ₂
	£. 368	5	5 ¹ / ₂
By three Years and six Months Salary as Agent for the Province of New-Jersey, - -	£. 350	0	0
Cash paid for Postage of Letters, Christmas Boxes at the Board of Trade, &c. amounting to, -	£. 10	8	10
75 per Cent is Currency -	18	5	5 ¹ / ₂
	£. 368	5	5 ¹ / ₂

WE, the Committee appointed to examine the Publick Accounts, do report them as above stated and adjusted.

Amboy, Feb. 9, 1775.

THOMAS P. HEWLINGS,
ANTHONY SYKES,
JOHN DEMAREST.

The Engrossed Bill, entitled, *A supplementary Act to an Act, entitled, An Act for the Relief of Insolvent Debtors*, was read and compared; on the Question, Whether the same do pass or not? It was carried in the Affirmative, as follows:

O

Yeas.

Yeas.	Yeas.	Nays.	Nays.
Mr. Combs,	Mr. Tucker,	Mr. Wetherill,	Mr. Demarest,
Mr. Lawrence,	Mr. Mehelm,	Mr. Taylor,	Mr. Ford,
Mr. Fisher,	Mr. Sheppard,	Mr. Crane,	Mr. Hinchman,
Mr. Winds,	Mr. Elmer,	Mr. Garritse,	Mr. Hand,
Mr. Kinsey,	Mr. Pettit.	Mr. Roy,	Mr. Eldridge.
Mr. Hewlings,		Mr. Dey,	
Mr. Sykes,			

Resolved,

That the said Bill do pass.

Ordered,

That Mr. Kinsey and Mr. Tucker do carry the same to the Council for Concurrence.

The House adjourned till Three, P. M.

The House met,

The Engrossed Bill, entitled, *An Act for Support of Government of His Majesty's Colony of New-Jersey, to commence the first Day of October 1774, and to end the first Day of October 1775, and to discharge the Publick Debts and Contingent Charges thereof*, was read and compared; on the Question,

Resolved,

That the same do pass.

Ordered,

That the Speaker do sign the same.

Ordered,

That Mr. Fisher, Mr. Wetherill, Mr. Crane, Mr. Ford, Mr. Lawrence, Mr. Sheppard and Mr. Hinchman, do carry the said Bill to the Council for Concurrence.

The House adjourned for an Hour.

The House met.

Mr. Fisher reported, that Mr. Wetherill, Mr. Crane, Mr. Ford, Mr. Lawrence, Mr. Sheppard, Mr. Hinchman and himself, delivered the Bill for Support of Government with them intrusted to the Speaker in Council.

The House adjourned till To-morrow Morning Nine o'Clock.

Friday, February 10, 1775.

The House met, and adjourned till Three, P. M.

The House met.

A Message from the Council by Mr. Stevens.

Ordered,

COUNCIL-CHAMBER, Feb. 10, 1775.

THAT Mr. Stevens do acquaint the House of Assembly that the Bill, entitled, *A supplementary Act to an Act, entitled, An Act for the*

the Relief of Insolvent Debtors, is passed the Council without any Amendment.

By Order of the House,

CHA. PETTIT, D. Clerk.

A Message from the Council by Mr. Coxe.

Ordered,

COUNCIL-CHAMBER, Feb. 10, 1775.

THAT Mr. Coxe do acquaint the House of Assembly, that the Bill, entitled, *An Act for the Support of Government of His Majesty's Colony of New-Jersey*, is passed in Council without any Amendment.

By Order of the House,

CHA. PETTIT, D. Clerk.

The House being informed that Dr. *James Murdock* did this Day send a Challenge to one of the Members of this House, which was delivered in the House, and an Answer insolently demanded; the House taking the same into Consideration,

Resolved unanimously,

That the Challenging a Member of this House is a Contempt and Breach of the Privileges of this House;

Ordered therefore,

That Mr. Speaker do issue his Warrant to the Sergeant at Arms immediately to take the said Dr. *James Murdock*, and bring him to the Bar of the House for the Contempt aforesaid.

The Sergeant at Arms attended with Dr. *James Murdock* at the Bar of the House, who being there examined confessed his sending a Challenge to a Member of this House; that he knew the Gentleman to be a Member of the House, but did not apprehend it an Insult to the House, and was extremely sorry for it, and declared his Sorrow for writing the said Letter and his Ignorance of the Consequences, and hoped the Favour of the House;

Whereupon the Sergeant at Arms being ordered to withdraw with his Prisoner: The House took the Matter into Consideration, and the Member injured moving that the said Dr. *Murdock's* Acknowledgments might be accepted by the House; after some Debate,

Ordered,

That the said Dr. *James Murdock* do humbly ask Pardon of this House in general, and the Member in particular; that he be thereupon reprimanded by the Speaker, and that he then be discharged on Payment of his Fees:

Whereupon the said Dr. *Murdock* did humbly ask Pardon of the House, and the Member in particular; and being reprimanded by the Speaker,

Ordered,

That he be discharged on Payment of his Fees.

The House adjourned till To-morrow Morning Nine o'Clock.

Saturday,

Saturday, February 11, 1775.

The House met.

A Message from the Council by Mr. Coxe.

Ordered,

COUNCIL-CHAMBER, Feb. 8, 1775.

THAT Mr. Coxe do acquaint the House of Assembly that the Bill, entitled, *An Act to confirm and establish a Road laid out by Virtue of an Act, entitled, An Act for laying out and establishing a Road from Bergen Point, &c.* is passed in Council without any Amendment.

By Order of the House,

CHA. PETTIT, D. Clerk.

Mr. Wetherill, from the Committee appointed to prepare the Draught of a Petition to His Majesty, brought in a Draught, which by Order of the House was read, and ordered a second Reading.

The House adjourned till Two, P. M.

The House met.

A Message from His Excellency by Mr. D. Secretary Pettit.

MR. SPEAKER,

HIS Excellency is in the Council-Chamber, and requires the immediate Attendance of the House:

Whereupon Mr. Speaker left the Chair, and with the House went to wait upon His Excellency, who was pleased to give his Assent to the following Bills, Enacting the same, viz.

1. *An Act for Support of Government of His Majesty's Colony of New-Jersey, to commence the first Day of October 1774, and to end the first Day of October 1775, and to discharge the Publick Debts and Contingent Charges thereof.*

2. *An Act to erect and establish Courts in the several Counties in this Colony, for the Trial of small Causes, and to repeal the former Act for that Purpose.*

3. *An Act for the Preservation of Oysters in the Colony of New-Jersey.*

4. *An Act for raising the Sum of One Hundred and Twenty-two Pounds Fourteen Shillings and Three-pence, Proclamation Money, on the Inhabitants of the Counties of Middlesex and Somerset, for repaying the Managers of the Landing Bridge the Money they have advanced for completing the said Bridge.*

5. *An Act for raising the Sum of Three Hundred and Fifty-seven Pounds Fourteen Shillings and Eleven-pence, Proclamation Money, on the Inhabitants of the County of Somerset, for repaying certain Persons therein named the Money they have advanced in rebuilding Queens Bridge.*

6. *An Act to assess the Township of Amwell, in order to reimburse Joseph Moore for repairing a Bridge in said Township.*

7. *An*

7. An Act to enable the Owners and Possessors of the Meadows and Swamps lying on Ramboe's Run in the Township of Deptford, in the County of Gloucester, to keep up and maintain the Bank, Dam and other Waterworks necessary to keep the Tide from overflowing the same, and to keep the Watercourse open and clear.

8. An Act to confirm and establish a Road laid out by Virtue of an Act, entitled, An Act for laying out and establishing a Road from Bergen Point along up Newark Bay, and from thence to Paulus-Hook on Hudson's River.

The Draught of the Petition to His Majesty was read the second Time;

Ordered,

That the same be committed to a Committee of the whole House:

Whereupon the House accordingly resolved itself into a Committee of the whole House on the Petition to His Majesty; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. Fisher, Chairman of the Committee, reported, that the Committee had made some Progress in the Matters to them referred, and desired Leave to sit again; to which the House agreed.

Mr. Sheppard had Leave of Absence on a particular Occasion.

The House adjourned till Monday Morning Nine o'Clock.

Monday, February 13, 1775.

The House met.

A Petition was presented to the House from Jasper Smith, Esq. of the County of Hunterdon, setting forth, that his Negro Wench has been lately ravished by some white Persons, and praying a Law to enable Negroes in the like Cases to give Evidence; on the Question,

Ordered,

That the said Petition do lie on the Table.

The House taking into Consideration the State of the Debt due to this Colony from Lord Stirling; and it appearing that Mrs. Mary Verplank hath a Mortgage upon the same Lands prior to that given to the late Treasurer;

Ordered,

That Mr. Fisher, Mr. Crane and Mr. Lawrence, or any two of them, do wait on Lord Stirling, and endeavour to procure Security for the Debt due to the Colony.

The House again, according to Order, resolved itself into a Committee of the whole House on the Petition to His Majesty; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. Fisher, Chairman of the Committee, reported, that the Committee have gone through the said Petition, and made several Amendments thereto, which he was ready to report whenever the House would please to receive the same.

P

Ordered,

Ordered,

That the Report be made immediately:

Whereupon Mr. *Fisher* reported the said Petition and Amendments, which being read, and agreed to by the House; on the Question,

Ordered,

That the same be engrossed.

The House adjourned till Three, P. M.

The House met.

Mr. *Fisher* and Mr. *Lawrence* reported, that they had waited on Lord *Stirling*, pursuant to the Order of the House, who informed them that he could not give the Province other Security, unless a General Mortgage, but that in four or five Months the Matter should be settled.

Mr. *Fisher*, from the Committee appointed for that Purpose, brought in a Bill, entitled, *An Act more effectually to suppress Immorality*, which was read;

Ordered,

That the same be referred to the next Session of Assembly.

Ordered,

That Mr. *Fisher* and Mr. *Eldridge* do go to the Council, and inquire whether they have any Business before them; if not, that this House proposes to apply to His Excellency for a Dismission;

Mr. *Fisher* reported, that Mr. *Eldridge* and himself went to the Council according to Order, who said they had no Business before them.

A Message from the Council by Mr. D. Secretary *Pettit*.

MR. SPEAKER,

HIS Excellency is in the Council-Chamber, and requires the Attendance of the House:

Whereupon Mr. Speaker left the Chair, and with the House went to wait upon His Excellency, who was pleased to give his Assent to the Bill, entitled, *A supplementary Act to an Act, entitled, An Act for the Relief of Insolvent Debtors*.

The House adjourned for an Hour.

The House met.

The Engrossed Petition to His Majesty was read and compared, and is as follows:

TO THE KING'S MOST EXCELLENT MAJESTY.

Most gracious Sovereign,

WE, your Majesty's most dutiful and loyal Subjects, the Representatives of the Colony of *New-Jersey*, in General Assembly convened, beg Leave to approach your Royal Presence to express our unfeigned Attachment to your Majesty's Person, Family and Government, and

and to return you our most humble Thanks for your gracious Assurance signified to us by our Governor, That "the Representations or Propositions of your Colonies will be attended to."

Firmly persuaded of your Majesty's Solitude for the Happiness of your Subjects in the remotest Parts of your Dominions—from the above gracious Assurance—we cannot but encourage ourselves in the Prospect of your Royal Interposition for our Relief from the Grievances under which your *American* Subjects have been so long labouring.

We do with the greatest Sincerity assure your Majesty, that our Complaints do not arise from a Want of Loyalty to your Royal Person, or a Disposition to withdraw ourselves from a constitutional Dependence on the *British* Crown; but from well grounded Apprehensions that our Rights and Liberties are intimately affected by the late Measures, in their Consequences pernicious to the Welfare and Happiness both of *Great-Britain* and your Majesty's Colonies. The Grievances of which we complain are,

A standing Army has been kept in these Colonies, ever since the Conclusion of the late War, without the Consent of our Assemblies; and this Army, with a considerable naval Armament, has been employed to enforce the Collection of Taxes.

The Authority of the Commander in Chief, and, under him, of the Brigadiers General, has, in Time of Peace, been rendered supreme in all the civil Governments in *America*.

The Commander in Chief of all your Majesty's Forces in *North-America*, has, in Time of Peace, been appointed Governor of a Colony.

The Charges of usual Offices have been greatly increased, and new, expensive and oppressive Offices have been multiplied.

The Judges of Admiralty and Vice-Admiralty Courts are impowered to receive their Salaries and Fees from the Effects condemned by themselves.

The Officers of the Customs are impowered to break open and enter Houses without the Authority of any Civil Magistrate founded on legal Information.

The Judges of Courts of Common Law have been made entirely dependant on one Part of the Legislature for their Salaries, as well as for the Duration of their Commissions.

Counsellors, holding their Commissions during Pleasure, exercise Legislative Authority.

The Agents of the People have been discountenanced, and Governors have been instructed to prevent the Payment of their Salaries.

Assemblies have been frequently and injuriously dissolved, and Commerce burdened with many useless and oppressive Restrictions.

By several Acts of Parliament made in the fourth, fifth, sixth, seventh and eighth Years of your Majesty's Reign, Duties are imposed on us for the Purpose of raising a Revenue, and the Powers of Admiralty and Vice-Admiralty Courts are extended beyond their ancient Limits, whereby our Property is taken from us without our Consent; the Trial by Jury, in many Civil Cases, is abolished; enormous Forfeitures are incurred for slight Offences; vexatious Informers are exempted

empted from paying Damages to which they are justly liable, and oppressive Security is required from Owners before they are allowed to defend their Rights.

Both Houses of Parliament have resolved, That the Colonists may be tried in *England* for Offences alledged to have been committed in *America*, by Virtue of a Statute passed in the Thirty-fifth Year of *Henry* the Eighth ; and, in Consequence thereof, Attempts have been made to enforce that Statute.

A Statute was passed in the Twelfth Year of Your Majesty's Reign, directing that Persons charged with committing any Offence therein described, in any Place out of the Realm, may be indicted and tried for the same in any Shire or County within the Realm, whereby Inhabitants of these Colonies may, in sundry Cases by that Statute made capital, be deprived of a Trial by their Peers of the Vicinage.

In the last Session of Parliament, an Act was passed for blocking up the Harbour of *Boston* ; another empowering the Governor of the *Massachusetts-Bay* to send Persons indicted for Murder in that Province to another Colony, or even to *Great-Britain* for Trial, whereby such Offenders may escape legal Punishment ; a third, for altering the Chartered Constitution of Government in that Province ; and a fourth, for extending the Limits of *Quebec*, abolishing the *English* and restoring the *French* Laws, whereby great Numbers of *British* Freemen are subject to the latter, and establishing an absolute Government and the *Roman* Catholick Religion throughout those vast Regions that border on the Westerly and Northerly Boundaries of the free Protestant *English* Settlements ; and a fifth, for the better providing suitable Quarters for Officers and Soldiers in His Majesty's Service in *North-America*.

To a Sovereign, who "glories in the Name of *Briton*," the bare recital of these Acts must, we presume, justify the loyal Subjects who fly to the Foot of his Throne, and implore his Clemency for Protection against them.

Although all the Grievances above enumerated do not immediately affect the People of this Colony, yet as, in their Consequences, they will be deeply involved, we cannot remain silent and unconcerned.

Should our Properties be liable to the Disposal of those of our Fellow-Subjects, in whose Election we have no Voice, we conceive it evident that we have no Property but at their Will and Pleasure.

And should we be carried for Trial to Places where it is impossible for the Accused to compel the Appearance of his Witnesses, Innocence will be no Security from Punishment.

Nor is the Jurisdiction lately given to the Courts of Admiralty, which deprive your Majesty's *American* Subjects of Trial by Juries of the Vicinage, less repugnant to the Fundamental Principles of the Common Law.

All which necessarily tend to reduce us to a State of Servitude, from which our Affection for the *English* Constitution, and Duty to ourselves and our Posterity, loudly call upon us to avert by all lawful Means in our Power.

The

The Colony of *New-Jersey*, during the late glorious War, though not immediately affected, because surrounded by your Majesty's other more extensive and opulent Colonies, complied with every Royal Requisition for Aid, and cheerfully exerted itself at a very considerable Expence, whereby it incurred a heavy Debt, under a great Part of which it at present labours.

And as this Colony hath always, according to its Ability, cordially defrayed the Charge of the Administration of Justice, and the Support of the Civil Government; your Majesty may be assured, that it will ever be ready, not only to defray the same Charge, but also to contribute, when constitutionally required, to every reasonable and necessary Expence for the Defence, Protection and Security of the whole *British* Empire.

We do solemnly and with great Truth assure your Majesty, that we have no Thoughts injurious to the Allegiance which, as Subjects, we owe to you as our Sovereign—that we abhor the Idea of setting ourselves up in a State of Independency—and that we know of no such Design in others.

We therefore most earnestly beseech your Majesty to interpose your Royal Authority for the Redress of the above Grievances, and to vouchsafe us a gracious Answer to this our humble Petition.

That the Omnipotent Being, “by whom Kings Reign and Princes decree Justice,” and who hath placed your Majesty on the Throne of your Ancestors, to which they were called by the Suffrage of a free People to protect them against Popery and arbitrary Power, may bless you with every Felicity both Temporal and Eternal—and that the Colonies may vie with the most faithful of your Subjects in every dutiful and loyal Attachment to your Royal Person, Family and Government—is and always will be the sincere and fervent Prayer of your Majesty's loyal and dutiful Subjects, the Representatives of the Colony of *New-Jersey*.

HOUSE OF ASSEMBLY, }
Feb. 13, 1775.

On the Question, Whether the Speaker do sign the same? It passed in the Affirmative, as follows:

Yeas.	Yeas.	Yeas.	Nays.
Mr. Combs,	Mr. Roy,	Mr. Hand,	Mr. Kinsey,
Mr. Wetherill,	Mr. Dey,	Mr. Eldridge,	Mr. Hewlings.
Mr. Taylor,	Mr. Demarest,	Mr. Tucker,	
Mr. Lawrence,	Mr. Ford,	Mr. Mehelm,	
Mr. Crane,	Mr. Winds,	Mr. Elmer,	
Mr. Garritse,	Mr. Sykes,	Mr. Pettit.	
Mr. Fisher,	Mr. Hinchman,		

Ordered,

That the Speaker do sign the same.

Mr. Speaker dissenting from the Petition to the King, requested as a Favour, that his Dissent might be entered in the Journals of the House; and, on the Question, Whether the same be entered or not? It passed as follows:

Q

Yeas.

Yeas.	Yeas.	Nays.	Nays.
Mr. Lawrence,	Mr. Ford,	Mr. Combs,	Mr. Hinchman,
Mr. Garritse,	Mr. Kinsey,	Mr. Wetherill,	Mr. Hand,
Mr. Fisher,	Mr. Howlings,	Mr. Taylor,	Mr. Eldridge,
Mr. Roy,	Mr. Mehelm,	Mr. Crane,	Mr. Tucker,
Mr. Dey,	Mr. Pettit.	Mr. Winds,	Mr. Elmer.
Mr. Demarest,		Mr. Sykes,	

The Votes being equal Mr. Speaker gave his Voice in the Affirmative ;

Ordered,

That the same be entered accordingly.

Ordered,

That the Committee of Correspondence do transmit the said Petition to the Agent, by the first Opportunity.

Mr. D. Secretary Pettit then, by Writ, prorogued the House to Tuesday the Fourteenth Day of March next, then to meet at Burlington.

BY VIRTUE of an ORDER of the HOUSE of REPRESENTATIVES, I do appoint *Isaac Collins* to print these Votes.

CORTLAND SKINNER, Speaker.

*Attest: The first sitting of the said
Legislative Assembly at Trenton
May 15th 1792.*

V O T E S

A N D

P R O C E E D I N G S

O F T H E

G E N E R A L A S S E M B L Y

O F T H E

C O L O N Y O F N E W - J E R S E Y .

AT A SITTING BEGAN AT BURLINGTON, MONDAY, MAY 15,
1775, AND CONTINUED UNTIL THE 20th DAY OF THE SAME
MONTH.

BEING THE FIRST SITTING OF THE FOURTH SESSION OF THE
TWENTY-SECOND ASSEMBLY OF NEW-JERSEY.



B U R L I N G T O N :

PRINTED BY ISAAC COLLINS, PRINTER TO THE KING, FOR
THE PROVINCE OF NEW-JERSEY, M.DCC.LXXV.

SAINT JOHN'S COLLEGE, NEW YORK
NEW YORK, N. Y.

Votes, &c. of the General Assembly.

NAMES OF THE REPRESENTATIVES.

C ITY of <i>Perth-Amboy</i> ,	Cortland Skinner, <i>Speaker</i> ,	John Combs,
<i>Middlesex</i> ,	John Wetherill,	Azariah Dunham,
<i>Monmouth</i> ,	Edward Taylor,	Richard Lawrence,
<i>Essex</i> ,	Stephen Crane,	Henry Garritte,
<i>Somerset</i> ,	Hendrick Fisher,	John Roy,
<i>Bergen</i> ,	Theunis Dey,	John Demarest,
<i>Morris</i> ,	Jacob Ford,	William Winds,
City of <i>Burlington</i> ,	James Kinsey,	Thomas P. Hewlings,
County of <i>Burlington</i> ,	Henry Paxson,	Anthony Sykes,
<i>Gloucester</i> ,	John Hinchman,	Robert F. Price,
<i>Salem</i> ,	Grant Gibbon,	Benjamin Holme,
<i>Cape-May</i> ,	Jonathan Hand,	Eli Eldridge,
<i>Hunterdon</i> ,	Samuel Tucker,	John Mehelm,
<i>Cumberland</i> ,	John Sheppard,	Theophilus Elmer,
<i>Suffex</i> ,	Nathaniel Pettit,	Joseph Barton.

BURLINGTON, Monday, May 15, 1775.

PURSUANT to His Excellency's several Prorogations of the General Assembly from Time to Time till this Day, the House met.

Azariah Dunham, Esq. being duly returned a Representative to serve in the General Assembly for the County of *Middlesex*, and now attending, was admitted into the House, and took the usual Oaths and made and subscribed the Declaration by Law appointed, before *Cortland Skinner*, Esq. thereto authorized by *Dedimus Poteftatem*.

Ordered,

That Mr. *Dunham* do take his Seat in the House.

The House being informed that *David Overton*, Doorkeeper to the House, is indisposed and unable to attend,

Resolved,

That *Richard Long* be and he is hereby appointed Doorkeeper of this House in the Room of the said *David Overton*.

Thomas

Thomas Wetherill, Sergeant at Arms to this House, having resigned his said Place,

Resolved,

That *Levi Murrel* be and he is hereby appointed Sergeant at Arms to the House in the Stead of the said *Thomas Wetherill*.

The House adjourned till Three, P. M.

The House met.

Ordered,

That Mr. *Fisher* and Mr. *Wetherill* do wait upon His Excellency and acquaint him, that a sufficient Number of Members to constitute a House are met and are ready to receive any Thing he may please to lay before them.

Mr. Speaker laid before the House a Letter to him from *William Bollen*, *Benjamin Franklin* and *Arthur Lee*, Esquires, dated *London, December 24, 1774*; which was read.

Mr. Speaker also laid before the House a Letter to him from the Honourable *John Cruger*, Esquire, Speaker of the House of Representatives of the Province of *New-York*, inclosing their Petition to the King, the Memorial to the House of Lords, and a Representation to the House of Commons, a List of Grievances, and the Resolutions entered into by the General Assembly there on the 8th of *March* last; all which were read.

Mr. *Fisher* reported, that Mr. *Wetherill* and himself waited upon His Excellency with the Message of the House according to Order, and that His Excellency was pleased to say, the House should hear from him To-morrow Morning.

The House adjourned till Nine o'Clock To-morrow Morning.

Tuesday, May 16, 1775.

The House met, and adjourned till Three, P. M.

The House met.

A Message from His Excellency by Mr. Deputy-Secretary *Pettit*.

Mr. SPEAKER,

HIS Excellency is in the Council-Chamber and requires the immediate Attendance of the House.

Whereupon Mr. Speaker left the Chair, and with the House went to wait upon His Excellency; and being returned, Mr. Speaker resumed the Chair, and reported, that the House had waited on His Excellency, who was pleased to make a Speech to the Council and House of Assembly, of which Mr. Speaker said he had, to prevent Mistakes, obtained a Copy; and the same by Order of the House was read, and is as follows, viz.

Gentlemen,

Gentlemen of the Council, and Gentlemen of the Assembly,

THE sole Occasion of my calling you together at this Time is to lay before you a Resolution of the House of Commons, wisely and humanely calculated to open a Door for the Restoration of that Harmony between *Great-Britain* and her *American* Colonies on which their mutual Welfare and Happiness so greatly depend.

This Resolution having already appeared in the publick Papers, and a great Variety of Interpretations put upon it, mostly according to the different Views and Dispositions by which Men are actuated, and scarcely any having seen it in it's proper Light, I think I cannot, at this critical Juncture, better answer the gracious Purposes of His Majesty, nor do my Country more essential Service, than to lay before you as full an Explanation of the Occasion, Purport, and Intent of it as is in my Power. By this Means you, and the good People you represent, will be enabled to judge for yourselves how far you ought or ought not to acquiesce with the Plan it contains, and what Steps it will be prudent for you to take on this very important Occasion.

You will see in the King's Answer to the joint Address of both Houses of Parliament on the 7th of *February*, how much Attention His Majesty was graciously pleased to give to the Assurance held out in that Address, of the Readiness of Parliament to afford every just and reasonable Indulgence to the Colonies, whenever they should make a proper Application on the Ground of any real Grievance they might have to complain of. This Address was accordingly soon after followed by the Resolution of the House of Commons now laid before you. A Circumstance which afforded His Majesty great Satisfaction as it gave Room to hope for a happy Effect, and would, at all Events, ever remain an Evidence of their Justice and Moderation, and manifest the Temper which has accompanied their Deliberations upon that Question which has been the Source of so much Disquiet to the King's Subjects in *America*.

His Majesty, ardently wishing to see a Reconciliation of the unhappy Differences by every Means thro' which it may be obtained, without Prejudice to the just Authority of Parliament, which His Majesty will never suffer to be violated, has approved the Resolution of his faithful Commons, and has commanded it to be transmitted to the Governors of his Colonies, not doubting that this happy Disposition, to comply with every just and reasonable Wish of the King's Subjects in *America*, will meet with such a Return of Duty and Affection on their Part, as will lead to a happy Issue of the present Dispute, and to a Re-establishment of the publick Tranquility on those Grounds of Equity, Justice and Moderation which this Resolution holds forth.

What has given the King the greater Satisfaction in this Resolution, and the greater Confidence in the good Effects of it, is his having seen that, amidst all the Intemperance into which a People, jealous of their Liberties, have been unfortunately misled, they have nevertheless avowed the *Justice*, the *Equity*, and the *Propriety* of Subjects of the same State contributing, according to their *Abilities* and *Situation*, to the pub-

lick Burdens, and this Resolution it is thought holds no Proposition beyond that.

It would probably be deemed unjust to suppose that any of the King's Subjects in the Colonies can have so far forgot the Benefits they have received from the Parent State as not to acknowledge that it is to her Support, held forth at the Expence of her Blood and Treasure, that they principally owe that Security which hath raised them to their present State of Opulence and Importance. In this Situation, therefore, Justice requires that they should, in Return, contribute according to their respective Abilities to the *Common Defence*; and their own Welfare and Interest demand that their *Civil Establishment* should be supported with a becoming Dignity.

It has been the Care, and it is the firm Determination of Parliament, to see that both these Ends are answered, and their Wisdom and Moderation have suggested the Propriety of leaving to each Colony to judge of the *Ways and Means* of making due Provision for these Purposes, reserving to themselves a discretionary Power of approving or disapproving what shall be offered.

The Resolution neither points out what the *Civil Establishment* should be, nor demands any *specific Sum* in Aid of the *publick Burdens*. In both these Respects it leaves full Scope for that Justice and Liberality which may be expected from Colonies, that, under all their Prejudices, have never been wanting in Expressions of an affectionate Attachment to the Mother Country, and a zealous Regard for the general Welfare of the *British* Empire, and therefore the King trusts that the Provision they will engage to make for the Support of *Civil Government* will be adequate to the Rank and Station of every necessary Officer, and that the Sum to be given in Contribution to the *Common Defence* will be offered on such Terms, and proposed in such a Way, as to *increase or diminish* according as the publick Burdens of *Great-Britain* are from Time to Time *augmented or reduced*, in so far as those Burdens consist of Taxes and Duties which are NOT a Security for the *National Debt*.

By such a Mode of Contribution the Colonies will have full Security that they can never be required to tax themselves without Parliament's taxing the Subjects in *Great-Britain* in a *far greater Proportion*, and it may be relied upon that any Proposition of this Nature made by any of the Colonies, and accompanied with such a State of their Faculties and Ability as may evince the *Equity* of the Proposal, will be received with *every possible INDULGENCE*; provided it be at the same Time unaccompanied with any *Declarations*, and unmixed with any *Claims* which will make it impossible for the King, consistently with his own Dignity, or for Parliament, consistently with their Constitutional Rights, to receive it. But it is not supposed that any of the Colonies will, after this Example of the Temper and Moderation of Parliament, adopt such a Conduct; on the contrary, the pleasing Hope is cherished that the publick Peace will be restored, and that the Colonies will enter into the Consideration of the Resolution of the House of Commons with that Calmness and Deliberation which the Importance of it demands, and with that Good-will and Inclination to a Reconciliation which are due

due to the Candour and Justice with which Parliament has taken up this Business and at once declared to the Colonies what will be ultimately expected from them.

It has been already observed, that the King entirely approves the Resolution of the House of Commons, and I have His Majesty's Commands to say, that a Compliance therewith by the General Assembly of *New-Jersey* will be most graciously considered by His Majesty, not only as a Testimony of their Reverence for Parliament, but also as a Mark of their Duty and Attachment to their Sovereign, who has no Object nearer to his Heart than the Peace and Prosperity of his Subjects in every Part of his Dominions. At the same Time, I must tell you, His Majesty considers himself as bound by every Tie to exert those Means the Constitution has placed in his Hands, for preserving that Constitution entire, and to resist with Firmness every Attempt to violate the Rights of Parliament, to distress and obstruct the lawful Commerce of his Subjects, or to encourage in the Colonies Ideas of Independence inconsistent with their Connexion with *Great-Britain*.

Here, Gentlemen, you have a full and candid State of the Disposition and Expectations of His Majesty and the Parliament. They require nothing of *America* but what the Colonies have repeatedly professed themselves ready and willing to perform. A late Assembly of this Province in their Petition to the King in 1766 express themselves thus, "As no Danger can approach *Britain*, without giving us the most sensible Alarm; so your Majesty may be assured, that with filial Duty we shall ever be ready to afford all the Assistance in our Power, and stand or fall with that Kingdom, from which we boast our Descent, and to which we are attached by the strongest Ties of Duty, Gratitude and Affection." And, in a subsequent Petition, they say, "*Very far* it is from our Intentions to deny our *Subordination* to that august Body [the Parliament] or our *Dependance* on the Kingdom of *Great-Britain*: In these Connexions, and in the Settlement of our Liberties, under the auspicious Influence of your Royal House, we know our Happiness consists; and therefore to confirm those Connexions, and to strengthen this Settlement, is at once our Interest, Duty and Delight."

Similar Declarations have been repeatedly made in other Colonies. The following Vote was passed in the Assembly of *Pennsylvania* many Years ago, *to wit*, "The House taking into Consideration the many Taxes their Fellow Subjects in *Great-Britain* are obliged to pay towards supporting the Dignity of the Crown, and defraying the necessary and Contingent Charges of Government, and willing to demonstrate the Fidelity, Loyalty and Affection of the Inhabitants of this Province to our gracious Sovereign, by bearing a Share of the Burden of our Fellow Subjects, proportionable to our Circumstances, do, therefore, cheerfully and unanimously resolve, That *Three Thousand Pounds* be paid for the Use of the King, his Heirs and Successors, to be applied to such Uses as he, in his Royal Wisdom, shall think fit to direct and appoint." And the said 3000 Pounds was afterwards paid into His Majesty's Exchequer by the Agent of the Province accordingly.

Nor

Nor can I avoid mentioning what was done in the Convention of Committees from every County in *Pennsylvania*, who met in *July* last for the express Purpose of giving Instructions to their Representatives in Assembly on this very Subject. Several of these Instructions manifest such a Candour and Liberality of Sentiment, such just Ideas of the Importance of our Connexion with *Great-Britain*, and point out so rational a Method to be pursued for obtaining Redress for the supposed Grievances (previous to any Attempts to distress the Trade of that Kingdom) that it is greatly to be regretted that the Conduct of *America*, in a Matter of such vast Importance to its future Welfare, had not been regulated by the Principles and Advice they suggested. In those Instructions, speaking of the Powers Parliament had claimed and lately exercised, the Convention say, "We are thoroughly convinced they will prove unfailing and plentiful Sources of Dissentions to our Mother Country and these Colonies, unless some Expedients can be adopted to render her secure of receiving from us every Emolument that can in Justice and Reason be expected, and us secure in our Lives, Properties, and an equitable Share of Commerce. Mournfully revolving in our Minds the Calamities, that, arising from these Dissentions, will most probably fall on us and our Children, we will now lay before you the particular Points we request of you to procure, if possible, to be finally decided; and the Measures that appear to us most likely to produce such a desirable Period of our Distresses and Dangers." Then, after enumerating the particular Acts of Parliament which they consider as Grievances, and desire to have repealed, they add, "In case of obtaining these Terms, it is our Opinion, that it will be reasonable for the Colonies to engage their Obedience to the Acts of Parliament, commonly called the Acts of Navigation, and to every other Act of Parliament declared to have Force, at this Time, in these Colonies, other than those above-mentioned, and to confirm such Statutes by Acts of the several Assemblies. It is also our Opinion, that taking Example from our Mother Country in abolishing the Courts of Wards and Liveries, Tenures in Capite, and by Knight's Service and Purveyance, it will be reasonable for the Colonies, in case of obtaining the Terms before-mentioned to settle a certain annual Revenue on His Majesty, his Heirs and Successors, subject to the Control of Parliament, and to satisfy all Damages done to the East-India Company. This our Idea of settling a Revenue, arises from a Sense of Duty to our Sovereign, and of Esteem for our Mother Country. We know and have felt the Benefits of a subordinate Connexion with her. We neither are so stupid as to be ignorant of them, nor so unjust as to deny them. We have also experienced the Pleasures of Gratitude and Love as well as Advantages from that Connexion. The Impressions are not yet erased. We consider her Circumstances with tender Concern. We have not been wanting, when constitutionally called upon, to assist her to the utmost of our Abilities; inasmuch that she has judged it reasonable to make us Recompences for our over-strained Exertions: And we now think we ought to contribute MORE THAN WE DO to the Alleviation of her Burdens."

“*dens.* Whatever may be said of these Proposals on either Side of
 “the Atlantic, this is not a Time either for *Timidity* or *Rashness*. We
 “perfectly know that the great Cause now agitated, is to be conducted
 “to a happy Conclusion, only by that well tempered Composition of
 “Counsels, which Firmness, Prudence, Loyalty to our Sovereign, Re-
 “spect to our Parent State, and Affection to our Native Country, united
 “must form.”—“In case of War, or in any Emergency of Distress,
 “we shall also be ready and willing to contribute all Aids within our
 “Power. And we *solemnly declare*, that on such Occasions, if *we* or
 “*our Posterity* shall *refuse, neglect* or *decline* thus to *contribute*, it will be
 “a *mean and manifest Violation* of a *plain Duty*, and a weak and wicked
 “*Desertion* of the *true Interests* of this Province, which *ever have been*
 “and *must be* bound up in the *Prosperity* of our Mother Country. Our
 “Union, founded on *mutual Compacts* and *mutual Benefits*, will be in-
 “dissoluble, at least more firm than an Union perpetually disturbed by
 “disputed Rights and retorted Injuries.” I could quote several more
 Passages from these Instructions which are expressive of the same
 honest and generous Sentiments with Regard to *Great-Britain*, but I
 shall only make one more Extract, and that respecting the *Mode*
 which they recommended to be pursued for the Redress of Grievances,
viz. “But other Considerations have Weight with us. We wish every
 “Mark of Respect to be paid to His Majesty’s Administration. We
 “have been taught from our Youth to entertain tender and brotherly
 “Affections for our Fellow Subjects at Home. The Interruption of
 “our Commerce must *greatly distress* great Numbers of them. This
 “we *earnestly desire to avoid*. We therefore *request*, that the Deputies
 “you shall appoint may be instructed to exert themselves at the Con-
 “gress, to induce the Members of it to consent to make a full and
 “precise State of Grievances, and a decent, yet firm Claim of Redress,
 “and to WAIT THE EVENT, before ANY OTHER Step is taken. It
 “is our Opinion that persons should be appointed and *sent Home* to
 “present this State and Claim at the Court of *Great-Britain*.” After
 mentioning their Confidence in the intended general Congress, and their
 Resolution to abide by their Determinations for the Sake of Unanimity,
 they declare that it is “with a strong *Hope* and *Trust* that they will
 “not *draw this Province* into any Measure judged by us, who must be
 “better acquainted with its State than Strangers, *highly inexpedient*.
 “Of *this Kind*, we *know* any other Stoppage of Trade, but of that with
 “*Great-Britain* will be. Even *this Step*, we should be *extremely afflicted*
 “to see taken by the Congress *before the other Mode* above pointed out
 “is tried.”

Happy would it have been at this Day, in all Probability, if some
 such healing Measures had been pursued. Some Plan of Union, or
 Proposal of “a mutual Compact” for “mutual Benefit” was the grand
 Object which every honest Man in the Colonies had at Heart. An im-
 perfect one (if not too glaringly so) was better than none, as it would,
 if it had answered no other Purpose, have laid a Foundation for Nego-
 tiation and Treaty. It has been lately observed in Parliament, “That
 “it does not appear the Colonies were seriously inclined to come into

“ any reasonable Terms of Accommodation, as nobody was authorized “ to make any Proposals to that Effect.”

However, it can be of little Avail now to animadvert on past Transactions. Who has been most in the right or most in the wrong can never be satisfactorily decided. Many Things will ever happen, in the Course of a long continued Dispute, which good Men of both Parties must reflect on with Pain, and wish to have buried in Oblivion. In the present Situation of Affairs we should only look forward, and endeavour to fall on some Expedient that may avert the impending Danger. To effect this desirable Purpose a Plan is now formed, and recommended to you by His Majesty, containing Terms greatly corresponding with the avowed Sentiments of many of the Colonies, and which, I think, can only want to be rightly understood in order to be generally adopted. It does not require from the People of this Country any formal Acknowledgment of the Right of Taxation in the Parliament. It waves all Dispute on that Head, and suspends the Exercise of it for ever, if so long the Colonies shall perform their Part of the Compact. It does not even require, as a Preliminary, that the Non-Importation and Non-Exportation Agreements shall be abolished. It comes before you in the old accustomed Manner, by Way of Requisition, being approved and adopted by the King, who has directed his several Governors to signify to the respective Assemblies his Desire that they should grant such Aids for the Common Defence, and the Support of Government within the Colonies, as shall appear to them just and equitable, and proportionate to their Abilities. His Majesty and the Parliament, 'tis true, are to judge whether the Aids which each Colony may offer are worth Acceptance, or adequate to their respective Abilities, as they did during the Course of the last War, very much to the Satisfaction of those Colonies who exerted themselves, often making them a Compensation “ according as their active Vigour “ and strenuous Efforts respectively appeared to merit.” The Necessity of some such Supreme Judge is evident from the very Nature of the Case, as otherwise some Colonies might not contribute their due Proportion. During the last War, I well remember, it was ardently wished by some of the Colonies that others, who were thought to be delinquent, might be compelled by Act of Parliament to bear an equal Share of the publick Burdens. It appears by the Minutes of Assembly, in *March* and *April* 1758, that some of the neighbouring Colonies thought *New-Jersey* had not at that Time contributed its due Share towards the Expences of the War; and that President *Reading* (the then Commander in Chief of the Colony) was of the same Opinion. And since my Administration, when the Assembly in 1764 was called upon to make Provision for raising some Troops on Account of the *Indian* War, they declined doing it for some Time, but “ on Condition a “ Majority of the Eastern Colonies, as far as to include *Massachusetts-Bay*, should come into His Majesty's Requisition on the Occasion.” But, as none of the Assemblies of the *New-England* Governments thought themselves nearly concerned, nothing was granted by them; and the whole Burden of the Expeditions then carried on fell upon
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Great-Britain and three or four of the middle Colonies; with which this Colony was dissatisfied, and the Assembly complained of it in one of their Addresses to me on the Occasion.—But what fully Evinces that there is no Design of Oppression or Extortion in the proposed Reservation in His Majesty and his Parliament of the Right of approving the Aids which may be offered by the Colonies, is, His Majesty's gracious Assurance that the Propositions on this Head will be received with *every possible* INDULGENCE.—The Monies raised by the several Colonies as their Proportion to the *Common Defence* is made subject to the Disposal of Parliament, as in Justice it ought, as they furnish the *whole* Sum which may be wanted for that necessary Purpose, according to the Estimates annually laid before them by the Crown, besides making Provision for the Civil List and National Debt, towards which the Colonies are not asked to contribute. The Army and Navy Establishment it is well known is necessarily increased since the Extension of the *British* Dominions in *America*. The whole *American* Civil and Military Establishment, as paid by *Great-Britain*, after the Peace of *Aix la Chapelle* was, it is said, only £. 70,000 Sterling; but since the last Peace it amounts to upwards of £. 350,000. As this great additional Expence was chiefly incurred on an *American* Account, it cannot but be reasonable that *America* should pay some Part of it. To remove every Objection that other Taxes may be raised upon *America*, under the Colour of Regulations on Commerce, the Produce of all such Duties is to be carried to the Account of that Province where it is to be levied.

We have now, thank Heaven, a happy Opportunity of getting entirely rid of this unnatural Contest, by only complying with what, I think, has been fully proved and acknowledged to be our indispensable Duty. Wherever a People enjoy Protection, and the other common Benefits of the State, nothing can be more reasonable than that they should bear their Share of the common Burden.

It is much to be lamented that there is so much Truth in the Observation, That Mankind generally act not according to Right, but according to present Interest, and most according to present Passion. In the present Case, there are no Difficulties but what may be easily surmounted, if Men come together sincerely disposed to serve their Country, unbiassed by any sinister Views or improper Resentments. This, Gentlemen, I trust, will be found to be your Disposition in this most alarming Situation of publick Affairs. Let me conjure you, however, not to come to any precipitate Resolutions respecting the Plan of Accommodation now communicated to you. I have no Objection to give you any Time you may think necessary for the due Consideration of it. It is, indeed, a Concern of a more interesting Nature than ever before came under the Consideration of an *American* Assembly. If it is adopted, all will yet be well. If it is totally rejected, or nothing similar to it proposed, or made the Basis of a Negotiation, it will necessarily induce a Belief of what has been lately so often mentioned in Publick, "That it is not a Dispute about Modes of Taxation—but
" that the *Americans* have deeper Views, and mean to throw off all
" Dependence

"Dependance upon *Great-Britain*, and to get rid of every Control of "their Legislature." Should such Sentiments ever prevail, they cannot but have the most fatal Effects to this Country. I am, however, fully convinced that the Body of the People in the Colonies do not even entertain a Wish of the Kind. Rather than lose the Protection of *Great-Britain*, *America*, were it ever so constitutionally and allowedly independent, would find it for its Advantage to purchase that Protection at an Expence far beyond what *Great-Britain* would ever think of requiring while we show her that Regard and Obedience to which she is justly entitled, and which our own Interest and Safety should prompt us to shew if there were no other Considerations.

Taxation being the principal Source of the present Disorders, when that important Point is once settled, every other Subject of Complaint which has grown out of it will, no Doubt, of Course be removed. For you may rely, Gentlemen, that notwithstanding the many inimical and oppressive Designs which the Jealousies and Suspicions of incensed People have attributed to Government, yet it is evident from the whole Tenor of the Letters which I have had the Honour to receive from the King's Ministers, that His Majesty and They have nothing more at Heart than to have these unhappy Differences accommodated on some just and honourable Plan, which shall at the same Time secure the Liberties of the People without lessening the necessary Power and Dignity of Parliament.

God grant that the Colonies may manifest the same laudable Disposition, and that a hearty Reconciliation and Harmony may take Place of the present Confusion and Dissention.

COUNCIL-CHAMBER, }
May 16, 1775. }

WM. FRANKLIN.

Mr. D. Secretary laid before the House the Copy of an Address to the King from the Lords and Commons of *Great-Britain*, of the 7th of February 1775, together with His Majesty's Answer: Also a Copy of a Resolution of the Honourable House of Commons of *Great-Britain*, of the 20th of February last; all which were read;

Ordered,

That His Excellency's Speech and the said Papers be read a second Time.

A Memorial was presented to the House from the Honourable *Samuel Smith*, Esq. Treasurer of the Western Division, setting forth, that the Memorialist hath in Possession considerable Sums of cancelled Bills of Credit of this Colony, ready to be laid before the Legislature for burning; and that the Memorialist, through declining Health, is very soon to resign his Office, and praying that the House will be pleased to take the usual Steps for settling his Accounts and burning the said cancelled Money; the same was read, and ordered a second Reading.

Mr *Tucker* laid before the House a printed Pamphlet lately received from *Great-Britain*, entitled, *The Parliamentary Register*, No. 5," containing, among other Things, a Paper, entitled, *An Extract of a Letter* from

from Governor Franklin to the Earl of Dartmouth, dated Perth-Amboy, February 1, 1775 ; received February 28 ; in these Words, viz.

“ THE General Assembly of this Province are now Sitting, being
“ convened on the 11th of last Month, in order to transact the
“ publick Business.

“ At the Opening of the Session I had some Hopes of prevailing on
“ the House of Representatives not to approve of the Proceedings of
“ the General Congress held at *Philadelphia*, for which Purpose a Pa-
“ ragraph of my Speech was particularly calculated. But the Delegates
“ from this Province took the Alarm, and used their utmost Endeavours
“ with the Members to persuade them to give their Approbation to those
“ Proceedings, as otherwise one grand End the Congress had in View
“ would be entirely frustrated, namely, the preserving an Appearance of
“ Unanimity throughout the Colonies, without which, they said,
“ their Measures could not have that Weight and Efficacy with the
“ Government and People of *Great-Britain* as was intended.

“ The Scheme, however, met with some Opposition in the House,
“ every Member proposing to defer the Consideration of it to a future
“ Time, or to give their Approbation to only some Parts of the Proceed-
“ ings of the Congress ; but, by the artful Management of those who
“ espoused the Measure, it was carried through precipitately the very
“ Morning it was proposed, as your Lordship will see by a Copy of their
“ Resolutions now enclosed, which were all previously prepared for the
“ Purpose.”

Which Extract was read, and ordered to be read a second Time.

Mr. *Crane* had Leave of Absence upon special Occasion.

A Petition was presented to the House from *Joseph Phillips* and *Charles Axford*, Assessors of the Townships of *Maidenhead* and *Trenton*, in the County of *Hunterdon*, praying a Compensation for numbering the Inhabitants in their respective Townships, in the Years 1772 and 1774 ; which Petition, together with sundry Papers accompanying the same, were read, and referred to the next Sitting of Assembly.

The House adjourned till Nine o’Clock To-morrow Morning.

Wednesday, May 17, 1775.

The House met.

His Excellency’s Speech, together with the Papers accompanying the same, were read the second Time, and committed to a Committee of the whole House.

Mr. Speaker laid before the House a Letter to him from *John Smyth*, Esquire, Treasurer of the Eastern Division, dated *Perth-Amboy, May 13, 1775*, setting forth, That he had attended the Justices and Freeholders of *Middlesex*, with the Sum of £. 9598: 3: 0: to be sunk according to Law on the *Wednesday* preceding, but that no sufficient Number to constitute a Board had attended, and praying that an Act of Assembly may

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immediately

immediately pass to cancel and burn the said Bills ; which Letter was read, and ordered a second Reading.

The House adjourned till Three, *P. M.*

The House met.

The House, according to Order, resolved itself into a Committee of the whole House on His Excellency's Speech and the Papers accompanying the same ; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported, that the Committee had gone through the Matters to them referred, and had come to one Resolution, which he was ready to report whenever the House will please to receive the same:

Ordered,

That the Report be made immediately :

Whereupon Mr. *Fisher* reported the Resolution of the Committee as follows, *viz.*

Resolved,

That an humble Address be presented to His Excellency in Answer to his Speech ; to which the House agreed.

Ordered,

That Mr. *Fisher*, Mr. *Wetherill*, Mr. *Kinsley*, Mr. *Paxson* and Mr. *Lawrence* be a Committee to prepare and bring in the Draught of an Address to His Excellency in Answer to his Speech.

The Memorial from the Western Treasurer was read the second Time;

Ordered,

That Mr. *Tucker*, Mr. *Sykes*, Mr. *Demarest*, Mr. *Gibbon*, Mr. *Shepard* and Mr. *Dunham*, or any four of them, be a Committee to join a Committee of the Council to settle the Western Treasurer's Accounts, and burn the cancelled Money in his Hands, and that Mr. *Dey* and Mr. *Taylor* do acquaint the Council thereof, and desire them to appoint a Committee accordingly, together with the Time and Place of Meeting.

Mr. *Dey* reported, that Mr. *Taylor* and himself delivered the Message of the House with them intrusted to Mr. *Stephen Skinner*, one of the Gentlemen of the Council, the Council not then Sitting.

Joseph Barton, Esq. being duly returned a Representative in Assembly for the County of *Suffex*, and now attending, was admitted into the House, and took the usual Oaths, and made and subscribed the Declaration by Law appointed, before *Cortland Skinner*, Esq. authorized to administer the same by *Dedimus Potestatem*.

Ordered,

That Mr. *Barton* do take his Seat in the House.

The House adjourned till Ten o'Clock To-morrow Morning.

Thursday, May 18, 1775.

The House met.

A Message from the Council by Mr. *Lawrence*.

Ordered,

Ordered,

THAT Mr. *Parker*, Mr. *Stevens* and Mr. *Hopkinson*, be a Committee to join with a Committee of the House of Assembly to settle the Western Treasurer's Accounts, and burn the cancelled Money in his Hands, and make Report to the House: That the said Committee do meet for that Purpose at Ten o'Clock this Forenoon at the said Treasurer's House; and that Mr. *Lawrence* do acquaint the House of Assembly therewith.

By Order of the House,

COUNCIL-CHAMBER, }
May 18, 1775.

CHA. PETTIT, Clerk.

The printed Paper, entitled, "An Extract of a Letter from Governor *Franklin* to the Earl of *Dartmouth*, dated *Perth-Amboy*, February 1, 1775; received February 28;" was read the second Time;

Ordered,

That Mr. *Hinchman*, Mr. *Mebelm*, Mr. *Combs*, Mr. *Taylor* and Mr. *Holme*, be a Committee to prepare and bring in the Draught of a Message to His Excellency, to request His Excellency would be pleased to inform this House whether the said Extract is authentic or not.

The House adjourned till Three, P. M.

The House met.

Mr. *Hinchman*, from the Committee appointed this Morning, brought in the Draught of a Message to His Excellency according to Order, which was read, amended, agreed to, and ordered to be engrossed.

The Engrossed Message to His Excellency was read and compared, and the same is as follows, viz.

Ordered,

That Mr. *Dey* and Mr. *Hewlings* do wait upon His Excellency with the following Message.

May it please your Excellency,

A PRINTED Pamphlet lately received from *Great-Britain*, entitled, "The Parliamentary Register No. 5." has been laid before this House, containing among other Things a Paper, entitled, "An Extract of a Letter from Governor *Franklin* to the Earl of *Dartmouth*, dated *Perth-Amboy*, February 1, 1775; received February 28;" in these Words:

THE General Assembly of this Province are now Sitting, being convened on the 11th of last Month, in order to transact the publick Business.

"At the Opening of the Session I had some Hopes of prevailing on the House of Representatives not to approve of the Proceedings of the General Congress held at *Philadelphia*, for which Purpose a Paragraph of my Speech was particularly calculated. But the Delegates from this Province took the Alarm, and used their utmost Endeavours with the Members to persuade them to give their Approbation to those Proceedings, as otherwise one grand End the Congress had in View would be entirely frustrated, namely, the preserving
"an

“ an Appearance of Unanimity throughout the Colonies, without which,
 “ they said, their Measures could not have that Weight and Efficacy
 “ with the Government and People of *Great-Britain* as was intended.

“ The Scheme, however, met with some Opposition in the House,
 “ every Member proposing to defer the Consideration of it to a future
 “ Time, or to give their Approbation to only some Parts of the Pro-
 “ ceedings of the Congress; but, by the artful Management of those
 “ who espoused the Measure, it was carried through precipitately the
 “ very Morning it was proposed, as your Lordship will see by a Copy
 “ of their Resolutions now enclosed, which were all previously prepared
 “ for the Purpose.”

We request Your Excellency will be pleased to inform this House,
 whether the said Extract contains a true Representation of the Words,
 or Substance of the Letter, or any Part of the Letter by Your Excellency
 written relative to the Proceedings of the last Session of Assembly?

By Order of the House,

HOUSE of ASSEMBLY, }
 May 18, 1775. }

RICHARD SMITH, Clerk.

The

DR. SAMUEL SMITH, Esq. Account for Support of Govern—
 1773.

Dec. 1. To Balance of last Account settled and reported to the
 Council and Assembly this Day, £. 1079 19 11
 To the Taxes of the following Counties for Support of
 Government, payable into the Treasury, 21st Nov.
 1773, being the Remainder of the Taxes for Support
 of Government for that Year, viz.

Suffex County,	£. 207 13 0	
Cape-May,	58 9 0	
		266 2 0

—2. To Cash of *Wilson Hunt* on Account of the Balance due
 1774. from him to the Province, 68 18 4
 Dec. To the Taxes for Support of Government, payable into
 the Treasury, Dec. 21, 1774, viz.

Burlington,	375 1 0	
Gloucester,	267 1 0	
Salem,	237 17 0	
Cumberland,	134 17 0	
Cape-May,	58 9 0	
Hunterdon,	477 7 0	
Suffex,	207 13 0	
		1758 5 0

1774.
 Nov. 21. To Cash of *Daniel Hand*, late Collector of *Cape-May*,
 being a Moiety of the Tax for Support of Government
 of that County, which should have been paid 21st Nov.
 1773, but suspended by Act of Assembly to this Day,

29 4 6

To Balance carried to General Account,

3202 9 9
 1767 7 1½

£. 4969 16 10½

The Letter from the Eastern Treasurer being read the second Time,
Resolved,

That it is the Opinion of this House that the Justices ought to summon a Board of Justices and Freeholders of *Middlesex*, agreeably to Act of Assembly, and that the said Justices and Freeholders ought to meet and cancel the said Money.

Mr. *Dey* reported, that Mr. *Hewlings* and himself delivered the Message of the House with them intrusted to His Excellency, and that His Excellency was pleased to say he would take the same into Consideration.

Mr. *Tucker*, from the Committee appointed to join a Committee of the Council to adjust and settle the Western Treasurer's Accounts, and to burn the cancelled Money in His Hands, reported, that the Committees had met and adjusted and settled the said Accounts, and burnt the said cancelled Money, and with Leave he delivered the said Accounts to the House, which were respectively read and agreed to by the House; the said Accounts are as follow, *viz.*

ment with the Province of New-Jersey.

CR.

By the Act of Assembly suspending the Payment of the Tax for <i>Cape-May</i> County which should have been paid Nov. 1773,	£ 58 9 0
By fundry Vouchers from Number 1 to Number 96 inclusive, all examined, allowed and endorsed the 18th May, 1775,	4911 7 10½

Burlington, May 18, 1775. Errors excepted.

By Order of the Committees,

E

JOHN STEVENS,
SAMUEL TUCKER.

DR.

£. 4969 16 10½

DR. *SAMUEL SMITH, Esq. Account of the Sink—*

1773.

Nov. To the Sinking Fund Tax directed to be raised this
Year, viz.

<i>Burlington,</i>	£. 1339	11	0
<i>Gloucester,</i>	953	18	0
<i>Salem,</i>	849	10	0
<i>Cumberland,</i>	481	13	0
<i>Cape-May,</i>	208	13	0
<i>Hunterdon,</i>	1704	16	0
<i>Suffex,</i>	741	12	0

1774.

Dec. To the Sinking Fund Tax directed to be raised this
Year, viz.

<i>Burlington,</i>	£. 1607	10	0
<i>Gloucester,</i>	1144	14	0
<i>Salem,</i>	1019	8	0
<i>Cumberland,</i>	578	0	0
<i>Cape-May,</i>	250	7	0
<i>Hunterdon,</i>	2045	15	0
<i>Suffex,</i>	889	18	0

1774.

Nov. 21. To Cash of *Daniel Hand*, late Collector of *Cape-May*,
being a Moiety of the *Cape-May* Tax which should have
been paid 21 Nov. 1773, but suspended to this Day by
Act of Assembly,

104 6 6

£. 13919 11 6

DR.

SAMUEL SMITH, Esq. Account of Mo—

To the Western Moiety of the Exchange Money of the 20th of <i>GEORGE</i> the Second,	£. 3004	16	0
To the Western Moiety of ditto of the 29th of <i>GEORGE</i> the Second,	1749	1	6
To the Western Moiety of ditto of the 4th of <i>GEORGE</i> the Third,	5000	0	0
	£. 9753	17	6

ing Fund with the Province of NEW-JERSEY.

CR.

1773. Dec. 1.	By Balance reported to the Council and Assembly, December 1, 1773,	£. 28 0 5½
	By the Act of Assembly suspending the Payment of the Tax for Cape-May County, which should have been paid November 1773,	208 13 0
1774. May 11.	By Part of the Justices and Freeholders Certificate of Money cancelled this Day, the Remainder credited in the Account for exchanging ragged and torn Bills, and the Whole burned by the Committees May 18, 1775,	4000 0 0
1775. May 10.	By the Justices and Freeholders Certificate of Mo- ney cancelled this Day, and burned by the Committees May 18, 1775,	8268 18 3
		<hr/> 12505 11 8½
	Balance carried to General Account,	£. 1413 19 9½
		<hr/>
		£. 13919 11 6

Burlington, May 18, 1775.

Errors excepted.

By Order of the Committees,

JOHN STEVENS,
SAMUEL TUCKER.

ney struck for exchanging ragged and torn Bills.

CR.

1774. May 11.	By Part of the Justices and Freeholders Certificate of Money sunk this Day, the Remainder credited in the Sinking Fund Account, and the Whole burned by the Committee May 18, 1775,	£. 3233 15 6
	Balance carried to General Account,	6520 2 0
		<hr/> £. 9753 17 6

Burlington, May, 18, 1775.

Errors excepted.

By Order of the Committees,

JOHN STEVENS,
SAMUEL TUCKER.

DR.

DR. SAMUEL SMITH, Esq. General Ac—

To Balance from Sinking Fund Account,	-	£. 1413	19	9½
To Balance from Account of Exchange Money,	-	6520	2	0

£ 7934 1 9½

Mr. *Tucker* further reported, that the Treasurer laid before the Committees a State of the Money in the Treasury, and offered the Committees the Money to count the same if they thought proper, with an Invoice thereof.

Four Petitions were presented to the House from a considerable Number of Freeholders and Inhabitants of the County of *Morris*, praying a Law to oblige the Owners of Sheep under certain Penalties and Regulations to confine their Rams from and after the 10th Day of *August* until the 10th Day of *November* in every Year, and that it may be lawful for any Person to cut any Ram running at large between the afore-said Times; which Petitions were read, and referred to the next Sitting of Assembly.

Mr. *Fisher*, from the Committee on the Address to His Excellency, brought in a Draught; which was read, and ordered a second Reading.

Mr. Deputy Secretary *Pettit* laid before the House His Majesty's Royal Approbation of two Acts of Assembly of this Province, and also His Majesty's Royal Disallowance of one other Act, in these Words, viz.

At the COURT at St. James's the 20th Day of February 1775.

P R E S E N T

The KING's MOST EXCELLENT MAJESTY,

L. S.	LORD PRESIDENT,	EARL of ROCHFORD,
	DUKE of QUEENSBERRY,	EARL of DARTMOUTH,
	DUKE of NEW-CASTLE,	VISCOUNT FALMOUTH.
	EARL of DENBIGH,	

WHEREAS by Commission under the Great Seal of *Great-Britain*, the Governor, Council and Assembly of His Majesty's Colony of *New-Jersey*, are authorized and empowered to make, constitute and ordain Laws, Statutes and Ordinances for the publick Peace, Welfare and good Government of the said Colony; which Laws, Statutes and Ordinances are to be, as near as conveniently may be, agreeable to the Laws and Statutes of this Kingdom, and are to be transmitted to His Majesty for his Royal Approbation or Disallowance: And
whereas

count with the Province of New-Jersey. CR.

By Balance from Account Support of Government, £ 1767 7 1½
Balance due and this Day paid to Joseph Smith, Esq. his Successor
for in Office, per Receipt of this Date, 6166 14 8½

£ 7934 1 9½

Burlington, May 18, 1775.

Errors Excepted.

By Order of the Committees,

JOHN STEVENS,
SAMUEL TUCKER.

whereas, in pursuance of the said Powers, two Acts were passed in the said Colony in the last Session of General Assembly there, which have been transmitted, entitled as follows, viz.

An Act for striking One Hundred Thousand Pounds in Bills of Credit, and directing the Mode for sinking the same.

An Act for the Relief of Abner Hatfield, an Insolvent Debtor.

Which Acts, together with a Representation from the Lords Commissioners for Trade and Plantations thereupon, having been referred to the Consideration of a Committee of the Lords of His Majesty's Most Honourable Privy Council for Plantation Affairs, the said Lords of the Committee did this Day report as their Opinion to His Majesty that the said Acts were proper to be approved: His Majesty taking the same into Consideration, was pleased, with the Advice of his Privy Council, to declare his Approbation of the said Acts; and pursuant to His Majesty's Royal Pleasure thereupon expressed, the said Acts are hereby Confirmed, finally Enacted and Ratified accordingly; whereof the Governor, or Commander in Chief of His Majesty's said Colony of *New-Jersey* for the Time being, and all others whom it may concern, are to take Notice and govern themselves accordingly.

G. CHETWYND.

At the COURT at *St. James's* the 20th Day of *February* 1775.

P R E S E N T

The KING's MOST EXCELLENT MAJESTY.



L. S.

LORD PRESIDENT, EARL of ROCHFORD,
DUKE of QUEENSBERRY, EARL of DARTMOUTH,
DUKE of NEW-CASTLE, VISCOUNT FALMOUTH.
EARL of DENBIGH,

W H E R E A S by Commission under the Great Seal of *Great-Britain*, the Governor, Council and Assembly of His Majesty's Colony of *New-Jersey*, are authorized and empowered to make, constitute

F

stitute

stitute and ordain, Laws, Statutes and Ordinances for the publick Peace, Welfare and good Government of the said Colony; which Laws, Statutes and Ordinances are to be as near as conveniently may be agreeable to the Laws and Statutes of this Kingdom, and are to be transmitted for His Majesty's Royal Approbation or Disallowance: And whereas, in pursuance of the said Powers, an Act was passed in the said Colony in the last Session of General Assembly, and transmitted, entitled as follows, *viz.*

An Act for lowering the Interest of Money to Six per Cent within this Colony.

Which Act, together with a Representation from the Lords Commissioners for Trade and Plantations thereupon, having been referred to the Consideration of a Committee of the Lords of His Majesty's Most Honourable Privy Council, the said Lords of the Committee did this Day report as their Opinion to His Majesty, that the said Act ought to be Disallowed; His Majesty taking the same into Consideration, was pleased, with the Advice of His Privy Council, to declare his Disallowance of the said Act; and pursuant to His Majesty's Royal Pleasure thereupon expressed, the said Act is hereby Disallowed, declared void and of none Effect; whereof the Governor or Commander in Chief of His Majesty's said Colony of *New-Jersey* for the Time being, and all others whom it may concern, are to take Notice and govern themselves accordingly.

G. CHETWYND.

The House adjourned till Nine o'Clock To-morrow Morning.

Friday, May 19, 1775.

The House met.

The Address to His Excellency was read the second Time, and committed to a Committee of the whole House.

The House accordingly resolved itself into a Committee of the whole House on the Address, and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported, that the Committee had gone through the Address, and had made sundry Amendments to the same, and by Leave of the House Mr. *Fisher* reported the Address with the Amendments, which were read, and the Address being further amended in the House, was agreed to,

Ordered,

That the said Address as amended and agreed to be engrossed.

The House adjourned till Three, *P. M.*

The House met.

The

The Engrossed Address to His Excellency was read and compared,
Ordered Nem. Con.

That Mr. Speaker do sign the same.

Ordered,

That Mr. *Tucker* and Mr. *Hinchman* do wait upon His Excellency, and desire to be informed when His Excellency will be attended by the House with their Address.

Col. *Ford* had Leave of Absence upon urgent Business.

Mr. *Tucker* reported, that Mr. *Hinchman* and himself waited on His Excellency according to Order, and that His Excellency was pleased to say the House should hear from him.

The House adjourned till Nine o'Clock To-morrow Morning.

Saturday, May 20, 1775.

The House met.

A Message from His Excellency by Mr. D. Secretary *Pettit*.

Gentlemen,

AS the Honourable *Samuel Smith*, Esq. has resigned his Office of Treasurer of the Western Division, I now inform you that I have, with the Advice of the Council, appointed *Joseph Smith*, Esq. to that Office; which Appointment, I doubt not, will be to your Satisfaction.

Burlington, May 20, 1775.

W^m. FRANKLIN.

Which was read; and thereupon a certified Copy of the Bond entered into by the said *Joseph Smith*, Esq. being laid before the House executed according to Law,

Resolved,

That this House is entirely satisfied with the Security therein mentioned.

It also appearing that the late Treasurer hath paid into the Hands of the said *Joseph Smith*, Esq. the Sum of £. 6166 : 14 : 8, the Balance of the said late Treasurer's Accounts, as settled by the Committees of the Council and this House, together with all Books, Papers, &c. belonging to the Colony.

Resolved,

That it is the Opinion of this House, that the late Treasurer's Bond be taken off the Files, cancelled and delivered to him.

It also appearing that the Chest heretofore used for keeping the publick Money, &c. is private Property;

Ordered,

That the present Treasurer do procure a proper and strong Iron Chest for that Purpose; and upon his exhibiting an Account of the Expence thereof,

Resolved,

That this House will make Provision to defray the said Expence.

Upon

Upon Motion made,

Ordered,

That Mr. *Tucker* have Leave to bring in at the next Sitting, a Supplementary Bill to the Act for the better enabling of Creditors to recover their just Debts from Persons who abscond themselves.

A Message from His Excellency by Mr. D. Secretary *Pettit*.

MR. SPEAKER,

HIS Excellency is in the Council-Chamber, and requires the immediate Attendance of the House.

Whereupon Mr. Speaker left the Chair, and with the House went to wait upon His Excellency, and being returned, Mr. Speaker resumed the Chair, and reported, that the House had waited on His Excellency with their Address in these Words, *viz.*

To His Excellency WILLIAM FRANKLIN, *Esq. Captain-General, Governor and Commander in Chief in and over His Majesty's Colony of Nova-Cæsarea or New-Jersey, and Territories thereon depending in America, Chancellor and Vice-Admiral in the same, &c.*

The Humble ADDRESS of the REPRESENTATIVES of the said Colony in General Assembly convened.

May it please your Excellency,

WE, His Majesty's loyal and dutiful Subjects, the Representatives of the Colony of *New-Jersey*, in General Assembly convened, have taken under our Consideration Your Excellency's Speech at the Opening of the Session, together with the Resolution of the House of Commons accompanying the same, containing a Proposition for accommodating of the unhappy Differences at present subsisting between our Parent Country and the Colonies.

As the Continental Congress is now sitting to consider of the present critical Situation of *American* Affairs, and as this House has already appointed Delegates for that Purpose, we should have been glad that Your Excellency had postponed the present Meeting until their Opinion could be had upon the Resolution now offered for our Consideration, and to which we have no Doubt that a proper Attention will be paid; more especially as we cannot suppose you to entertain a Suspicion that the present House has the least Design to desert the Common Cause, in which all *America* appears to be both deeply interested and firmly united, so far as separately and without the Advice of a Body in which all are represented, to adopt a Measure of so much Importance. Until this Opinion is known we can only give Your Excellency our present Sentiments, being fully of Opinion that we shall pay all proper Respect to, and abide by, the united Voice of the Congress on the present Occasion.

Your Excellency is pleased to tell us, That this Resolution, "has had a Variety of Interpretations put on it"—"that scarcely any have seen it in its proper Light"—and you proceed to give us that Explanation
of

of the Design and Occasion which you apprehend will enable us and our Constituents to judge how far the Plan it contains ought to be acquiesced in, and what Steps it may be prudent to take in the present Situation. We confess that Your Excellency has put a Construction on the Proposition which appears to us to be new, and if we could be of the Opinion that the Resolution "holds no Proposition beyond the "Avowal of the Justice, the Equity and the Propriety of Subjects of the "same State, contributing according to their Abilities and Situation to "the publick Burden," and did not convey to us the Idea of submitting the Disposal of all our Property to others in whom we have no Choice, it is more than probable that we should gladly embrace the Opportunity of settling this unhappy Dispute.

Most Assemblies on the Continent have, at various Times, acknowledged and declared to the World their Willingness, not only to defray the Charge of the Administration of Justice and the Support of the Civil Government, but also to contribute, as they have hitherto done, when constitutionally called upon, to every reasonable and necessary Expence for the Defence, Protection and Security of the whole *British* Empire; and this Colony in particular hath always complied with His Majesty's Requisitions for those Purposes: And we do now assure Your Excellency that we shall always be ready, according to our Abilities, and to the utmost of our Power, to maintain the Interests of His Majesty and of our Parent State. If then Your Excellency's Construction be right, and if a Proposal "of this Nature" will, as you are pleased to inform us, be received by His Majesty with every possible Indulgence, we have Hopes that the Declaration we now make will be looked on by His Majesty and His Ministers not only to be similar to what is required from us, but also to be a "Basis of a Negotiation" on which the present Differences may be accommodated—An Event which we most ardently wish for.

We have considered the Resolution of the House of Commons—We would not wish to come to a Determination that might be justly called precipitate in the present alarming Situation of Affairs—But, if we mistake not, this Resolution contains no new Proposal: It appears to us to be the same with one made to the Colonies the Year preceding the passing of the late Stamp Act; at least it is not materially different therefrom. *America* then did not comply with it, and though we are sincerely disposed to make use of all proper Means to obtain the Favour of His Majesty and the Parliament of *Great-Britain*, yet we cannot, in our present Opinion, comply with a Proposition which we really apprehend to give up the Privileges of Freemen; nor do we want any Time to consider whether we shall submit to that which, in our Apprehension, will reduce us and our Constituents to a State little better than that of Slavery.

By the Resolution now offered, if assented to, we think we shall be to all Intents and Purposes as fully and effectually taxed by our Fellow Subjects in *Great-Britain*, where we have not any Representation, as by any of the late Acts of the *British* Parliament, under which we have been aggrieved—of which we have complained—and from which

we have prayed to be relieved, and that too in a much greater Degree, perhaps, than by all those Acts put together. We cannot consent to subject the Property of our Constituents to be taken away for Services and Uses, of the Propriety of which we have no right to judge, while to us are only left the Ways and Means of raising the Money. We have always thought and contended that we had a Right to dispose of our Property ourselves, and we have always cheerfully yielded our Assistance to His Majesty in that Way, when the Exigencies of Affairs required us so to do and he has condescended to ask it from us. It is the Freedom of Granting, as well as the Mode of raising Monies which this House cannot voluntarily part with without betraying the just Rights of the Constitution. The present Resolution seems to require us to raise a Proportion which a Parliament of *Great-Britain* may at any Time think fit to grant. At this Time we cannot form any Judgment, either of the Extent of the Proposition, or of the Consequences in which the good People of the Colony may be involved by our Assent to a Provision so indeterminate; for it appears to us to be impossible to judge what Proportion or Share the People can bear until we know what Situation they will be in when any Sum is intended to be raised.—Upon the Whole, though sincerely desirous to give every Mark of Duty and Attachment to the King, and to shew all due Reverence to the Parliament of our Parent State, we cannot, consistent with our real Sentiments, and the Trust reposed in us, assent to a Proposal big with Consequences destructive to the publick Welfare; and hope that the Justice of our Parent Country will not permit us to be driven into a Situation the Prospect of which fills us with Anxiety and Horror.

There may be much Truth in the Observation, “that Mankind generally act not according to Right, but according to present Interest, “and most according to present Passion:” Yet we trust that our Conduct, on the present Occasion, is neither influenced by the one nor the other; and we persuade ourselves that Your Excellency is so well acquainted with the People you govern, that it is quite unnecessary for us to make use of any Means to convince you of the Injustice of the Charge “that the *Americans* have deeper Views, and mean to throw “off all Dependance on *Great-Britain*, and to get rid of every Control of their Legislature.”

We heartily pray that the Supreme Disposer of Events, in whose Hand are the Hearts of all Men, may avert the Calamities impending over us, and influence our Sovereign, his Ministry and the Parliament, so as to induce them to put a Stop to the Effusion of the Blood of the Colonists, who wish always to look upon their Fellow Subjects in *Britain* as their Brethren, and are really desirous to promote their Interest and Happiness upon any reasonable Terms; and it will give us great Pleasure to find Your Excellency amongst those who, by just and proper Representations of the Dispositions of the Inhabitants of these Colonies, shall assist in settling of the present unhappy Differences.

By Order of the House,

HOUSE of ASSEMBLY, }
May 19, 1775.

CORTLAND SKINNER, *Speaker.*

To

To which His Excellency was pleased to make the following Answer :

Gentlemen,

I HAVE done my Duty. I lost no Time in laying before you the Propositions I had received for an amicable Accommodation of the present unhappy Differences. I gave you as full and candid an Explanation of them as I was authorized or enabled to do. Whether those Propositions, or my Explanation of them, did or did not contain any thing new is but little to the Purpose. The Question is, whether they ought or ought not to be approved, either in Whole or in Part, or be made the Ground of a Negotiation ; and whether, in the latter Case, every Assembly on the Continent ought not to take some active Measures to effect an End so desirable. In stating the Matter to you, I could have no Suspicion that you did not think yourselves competent to the Business, and were necessarily to wait the Determination of another Body. It was but the last Session that you assured me that you would not “ suffer any of the Rights vested in you by the Constitution to be wrested “ out of your Hands by any Person or Persons whatsoever.” I shall forbear to point out the Inconsistency of this Address with that Declaration. Nor shall I aim to convince you of the wrong Ideas you have formed of those Propositions. Were they ever so rightly understood, or ever so well approved by you, yet, to judge by your own Declarations, it could be of no Avail. The Times are indeed greatly altered. I shall be happy to see some proper Attempts to mend them. My Representations and Endeavours from the first Commencement of this unnatural Dispute to this Day, have not been nor shall they ever be wanting towards effecting a Reconciliation. I am persuaded that if a Disposition of this Sort is manifested, and the proper Steps are pursued by those who have it in their Power to take the Lead in this important Affair on the Part of *America*, it may be easily accomplished to mutual Satisfaction. His Majesty, I am sure, would wish to avoid the Shedding of the Blood of His *American*, as much as that of His *British* Subjects. They must be all equally dear to him if they are equally dutiful. The *Americans* in general have been, and I hope will ever prove as well disposed to His Majesty and His Family as the Subjects of any other Part of the Dominions.

The House adjourned till Three, P. M.

The House met.

His Excellency having laid before the House a Copy of the Resolution of the Honourable House of Commons of *Great-Britain* of the 20th of *February* 1775, containing a Plan formed for the Accommodation of the unhappy Differences between our Parent State and the Colonies ; which Plan, under the present Circumstances, this House could not comply with and adopt ; and yet this House being desirous of making Use of all proper Means to effect a Reconciliation, do recommend it to their Delegates to lay the same Plan before the Continental Congress for their Consideration.

Ordered,

Ordered,

That Mr. *Mehelm* and Mr. *Elmer* do go to the Council, and inquire whether they have any Business before them; if not, that this House proposes to apply to His Excellency for a Dismission.

Mr. *Mehelm* reported, that Mr. *Elmer* and himself waited on the Council accordingly, who said they had nothing before them.

Ordered,

That Mr. *Fisher* and Mr. *Lawrence* do wait upon His Excellency and acquaint him, that the House having gone through the Business is desirous of a Dismission.

Mr. *Fisher* reported, that Mr. *Lawrence* and himself waited upon the Governor accordingly, who was pleased to say the House should hear from him presently.

A Message from His Excellency by Mr. D. Secretary *Pettit*.

A MESSAGE to the ASSEMBLY.

Gentlemen,

IT has been my unhappiness almost every Session during the Existence of the present Assembly, that a Majority of the Members of the House have suffered themselves to be persuaded to seize on every Opportunity of arraigning my Conduct, or fomenting some Dispute, let the Occasion be ever so trifling, or let me be ever so careful to avoid giving any just Cause of Offence. This too has been done with such an Eagerness in the Promoters of it, as can only be accounted for on a Supposition that they are either actuated by unmanly private Resentment, or by a Conviction that their whole political Consequence depends upon a Contention with their Governor. Such Effusions of Ill-humour have never yet, however, nor is it likely they ever will, produce any Benefit to the Province; on the contrary, they have occasioned great Delays and Obstructions to the Publick Business, and consequently been attended with very considerable Expence to the People.

In this Light, and in no other, can I look upon the Proceedings of your House with respect to the Matter mentioned in your Message of *Thursday*. A Member receives a Pamphlet from *England* containing, as is pretended, an Extract of a Letter from me to the Secretary of State. What does he do with it? Does he come to me, or does he write to me on the Subject, or does he even request any other Person to inquire of me whether the Extract is genuine or not? No, he treasures it up till the House meets; but, either through Motives of Shame or Fear, he does not choose to appear openly in the Affair himself. He looks round for some Person to take the Odium of the intended Business off his Hands, and presently finds one exactly fitted to his Purpose. The Pamphlet is accordingly laid before the Assembly, the Extract is read, inserted at large on the Minutes, ordered a second Reading, and, after it had been on Record two Days, the House at length thought proper to send me a Message, requesting I would be pleased to inform them

“ Whether the said Extract contains a true Representation of the Words
“ or

“ or Substance of the Letter, or any Part of the Letter, by me written
 “ relative to the Proceedings of the last Session of Assembly.”

If such a Procedure does not manifest a premeditated Affront, and an Intention to do me a personal Injury, let any Man judge, who considers the several Steps which have been taken in this Affair, the many Falshoods which have been industriously propagated respecting the Contents of the Letter, and the present turbulent State of the Province.

Some, if not all of you, must have known that the Pamphlet, tho’ called the *Parliamentary Register*, was not a Publication authorized by Parliament, or of any more Authority than a common Magazine, or News-Paper. Nor can I doubt but that some of you must have seen or heard that what was lately published in that Work as the Speech of the Earl of *Chatham* was publicly denied by his Lordship. It is well known to be as much the Practice in *England* to write and publish Speeches which were never spoke, as it is in *America* to publish Extracts of Letters which were never wrote, by the Persons to whom they are attributed.

Besides, Gentlemen, as to the particular Extract in Question, I cannot but flatter myself that I am not so remarkable for writing Nonsense and Contradictions, but that you might have at least doubted the Genuineness of the Extract when you saw on the very Face of it so glaring an Absurdity as could not be supposed to have come from the Pen of any Man of common Sense. Would you not have thought me extremely deficient in the common Marks of Respect which is due from one Gentleman to another, and much more from one Branch of the Legislature to another, had I seen a pretended Extract of a Letter said to be wrote by you to your Agent, or from him to you, containing evident Nonsense and Absurdity, and should order it to be read in Council, and entered on the Minutes without making any Inquiry as to the Authenticity of it until two Days after? Would you not have construed such Conduct into a designed Affront, or suspected that it was calculated to expose you to Ridicule, or to promote some intended Injury, more especially in Times so circumstanced as the present?

I cannot think that you have the least Right to a Sight of any Part of my Correspondence with the King’s Ministers, and I am convinced that you would deem it a very improper Request were I to ask you to communicate to me your Correspondence with the Agent of this Province at the Court of *Great-Britain*. I will, however, thus far comply with your Request, as to assure you that “ the said Extract does
 “ not contain a true Representation of the Words or Substance of my
 “ Letter;” but had you, before you suffered it to be entered on your Minutes, applied to me, either in a private or publick Way, I should have had not the least Scruple to have let you see the whole of what I wrote “ relative to the Proceedings of the last Session of Assembly.” It has ever been my Rule, as it is my Duty, to represent Matters exactly in the Light as they appear to me, from the best Information I can obtain at the Time of writing my Dispatches. If I afterwards

H

find

find that I have been mistaken in any Thing I never fail to rectify the Mistake as soon as discovered.

On the Whole, Gentlemen, I have very particular Reason to complain of the Treatment I have received on Account of this pretended Extract. Great pains have been taken to propagate an Idea that I have wrote a Letter to *England* inimical to the Province or to *America* in general. After it is produced, nothing of the Kind appears; nor should I have the least Objection to the Publication of my whole Correspondence with the King's Ministers. You have on your Minutes a Copy of a Letter from Lord *Shelburne*, which will shew that the Representations I made of the Disposition and Conduct of the People of this Province at the Time of the Stamp Act, a Time somewhat similar to the present, were, to use his Lordship's Words, "*much to its Honour*." My Sentiments respecting the present publick Transactions I have no Scruple to declare do not entirely coincide with those of either Party. But I trust that those who know me best will do me the Justice to allow, that no Office or Honour in the Power of the Crown to bestow will ever influence me to forget or neglect the Duty I owe my Country, nor the most furious Rage of the most intemperate Zealots induce me to swerve from the Duty I owe His Majesty.

WM. FRANKLIN.

1. *Resolved,*

That the laying of the Parliamentary Register before this House, containing a Publication said to be an Extract of a Letter from Governor *Franklin* to Lord *Dartmouth*, so far from doing or carrying an Appearance of intending an Injury to the Character of His Excellency, or deserving of those personal Reflections contained in his Message to the House of this Day, had, in the Opinion of this House, a Tendency to do him real Service, by giving him an Opportunity of exculpating himself from the Charge of Writing the said Letter or Extract if the Charge had been Groundless.

2. *Resolved,*

That Mr. *Fisher*, Mr. *Kinsey*, Mr. *Tucker*, Mr. *Paxson* and Mr. *Hinchman*, be a Committee to consider of the said Message, and make report to the next Sitting of Assembly.

On the Question, whether the House agrees to the said Resolutions or not? It passed in the Affirmative:

Yeas.	Yeas.	Yeas.	Nay.
Mr. <i>Combs</i> ,	Mr. <i>Dey</i> ,	Mr. <i>Holme</i> ,	Mr. <i>Barton</i> .
Mr. <i>Wetberill</i> ,	Mr. <i>Demarest</i> ,	Mr. <i>Hand</i> ,	
Mr. <i>Dunham</i> ,	Mr. <i>Winds</i> ,	Mr. <i>Eldridge</i> ,	
Mr. <i>Taylor</i> ,	Mr. <i>Kinsey</i> ,	Mr. <i>Tucker</i> ,	
Mr. <i>Lawrence</i> ,	Mr. <i>Hewlings</i> ,	Mr. <i>Mehelm</i> ,	
Mr. <i>Garritse</i> ,	Mr. <i>Paxson</i> ,	Mr. <i>Sheppard</i> ,	
Mr. <i>Fisher</i> ,	Mr. <i>Sykes</i> ,	Mr. <i>Elmer</i> ,	
Mr. <i>Roy</i> ,	Mr. <i>Hinchman</i> ,	Mr. <i>Pettit</i> .	

A Message

A Message from His Excellency by Mr. D. Secretary *Pettit*.

Mr. SPEAKER,

HIS Excellency is in the Council-Chamber, and requires the immediate Attendance of this House:

Whereupon Mr. Speaker with the House waited upon His Excellency, who was pleased to prorogue the General Assembly to the 20th Day of *June* next, then to meet at *Burlington*.

BY VIRTUE of an ORDER of the HOUSE of REPRESENTATIVES, I do appoint *Isaac Collins* to print these Votes.

CORTLAND SKINNER, *Speaker*.

24. 70.

V O . T E S

A N D

P R O C E E D I N G S

O F T H E

G E N E R A L A S S E M B L Y

O F T H E

C O L O N Y O F N E W - J E R S E Y .

AT A SITTING BEGAN AT BURLINGTON, WEDNES-
DAY, NOVEMBER 15, 1775, AND CONTINUED UNTIL THE
6th DAY OF DECEMBER FOLLOWING.

BEING THE SECOND SITTING OF THE FOURTH SESSION OF
THE TWENTY-SECOND ASSEMBLY OF NEW-JERSEY.

1775



B U R L I N G T O N :

PRINTED BY ISAAC COLLINS, PRINTER TO THE KING,
FOR THE PROVINCE OF NEW-JERSEY, M.DCC.LXXV.

Votes, &c. of the General Assembly.

NAMES OF THE REPRESENTATIVES.

C ITY of <i>Perth-Amboy</i> ,	Cortland Skinner, <i>Speaker</i> ,	John Combs,
<i>Middlesex</i> ,	John Wetherill,	Azariah Dunham,
<i>Monmouth</i> ,	Edward Taylor,	Richard Lawrence,
<i>Essex</i> ,	Stephen Crane,	Henry Garritte,
<i>Somerset</i> ,	Hendrick Fisher,	John Roy,
<i>Bergen</i> ,	Theunis Dey,	John Demarest,
<i>Morris</i> ,	Jacob Ford,	William Winds,
City of <i>Burlington</i> ,	James Kinsey,	Thomas P. Hewlings,
County of <i>Burlington</i> ,	Henry Paxson,	Anthony Sykes,
<i>Gloucester</i> ,	John Hinchman,	Robert F. Price,
<i>Salem</i> ,	Grant Gibbon,	Benjamin Holme,
<i>Cape-May</i> ,	Jonathan Hand,	Eli Eldridge,
<i>Hunterdon</i> ,	Samuel Tucker,	John Mehelm,
<i>Cumberland</i> ,	John Sheppard,	Theophilus Elmer,
<i>Suffex</i> ,	Nathaniel Pettit,	Joseph Barton.

BURLINGTON, Wednesday, November 15, 1775.

PURSUANT to his Excellency's several Prorogations of the General Assembly, from Time to Time till this Day, several Members met, and, for want of a sufficient Number to make a House for Business, adjourned till To-morrow Morning Ten o'Clock.

Thursday, November 16, 1775.

The House met, and, for want of a sufficient Number of Members to make a House, adjourned to Three, *P. M.*

The House met.

Ordered,

That Mr. *Fisher* and Mr. *Paxson* do wait upon His Excellency and acquaint him, that a sufficient Number of Members to proceed upon Business are met, and ready to receive any Thing he may please to lay before them.

Mr. D. Secretary laid before the House the several Prorogations of the House since last Session, which were read.

Mr.

Mr. *Fisher* reported, that Mr. *Paxson* and himself waited upon the Governor, according to Order, who was pleased to say the House should hear from him presently.

A Petition was presented to the House from *Isaac Haines*, praying a Law to enable him to erect a Dam and Waterworks on the southermost Branch of *Ancocas* Creek, in the County of *Burlington*, and a Certificate from many others was also presented, recommending the Prayer of the Petition; both which were read, and ordered to be read a second Time.

Ordered,

That Mr. *Taylor*, Mr. *Gibbon* and Mr. *Mehelm*, be a Committee to inquire what Business stands referred over to this Sitting, and make Report to the House.

Ordered,

That Mr. *Hinchman*, Mr. *Ford* and Mr. *Sheppard*, be a Committee to inquire what Laws are expired, or are near expiring, and make Report to the House.

A Message from the Governor by Mr. D. Secretary *Pettit*.

MR. SPEAKER,

HIS Excellency is in the Council-Chamber and requires the immediate Attendance of the House:

Whereupon Mr. Speaker quitted the Chair, and, with the House, went to wait upon the Governor; and, being returned, Mr. Speaker resumed the Chair, and reported; that the House had waited on the Governor, who was pleased to make a Speech to the Council and this House, of which Mr. Speaker said he had, to prevent Mistakes, obtained a Copy; and the same, by Order of the House, was read, and is as follows, *viz.*

Gentlemen of the Council, and Gentlemen of the Assembly,

I HAVE called this Meeting that you might have an Opportunity of transacting such Business as the publick Exigencies of the Province require.

Having lately said so much to you concerning the present unhappy Situation of publick Affairs, and the destructive Measures which have been adopted in the Colonies under the Pretence of Necessity, and as I do not yet see that the urging any more Arguments on that Head has a Chance of producing any good Effect, I shall not endanger the Harmony of the present Session by a farther Discussion of the Subject.

It is necessary, however, that you should be informed, "That His Majesty laments to find his Subjects in *America* so lost to their own true Interest as neither to accept the Resolution of the House of Commons of the 20th of *February*, nor make it the Basis of a Negotiation, when, in all Probability, it would have led to some Plan of Accommodation—and that, as they have preferred engaging in a
"Rebellion

“ Rebellion which menaces to overthrow the Constitution, it becomes
 “ His Majesty’s Duty, and is his firm Resolution, that the most vigorous
 “ Efforts should be made both by Sea and Land to reduce his rebellious
 “ Subjects to Obedience—But it is hoped that, unfavourable as the Pro-
 “ spects are at present, the Time will come when Men of Sense, and
 “ Friends to Peace and good Order will see the fatal Consequences of
 “ the Delusions which have led to the Measures the People of *America*
 “ are now pursuing, and that we may yet see the publick Tranquility
 “ re-established on the Ground of the Terms held out by His Majesty
 “ and the Parliament.”

IT is likewise proper that you should know, “ That the Commanders
 “ of His Majesty’s Squadrons in *America* have Orders to proceed, as in
 “ the Case of a Town in actual Rebellion, against such of the Seaport
 “ Towns and Places, being accessible to the King’s Ships, as shall offer
 “ any Violence to the King’s Officers, or in which any Troops shall be
 “ raised, or military Works erected, other than by His Majesty’s Autho-
 “ rity, or any Attempts made to seize or plunder any publick Magazine
 “ of Arms or Ammunition.”

ALTHOUGH the King’s Officers in this Province have not as yet (ex-
 cept in one or two Instances) met with any Insults or improper Treatment
 from any of the Inhabitants, yet such has been the general Infatuation
 and Disorder of the Times that, had I followed the Judgment and
 Advice of some of my best Friends, I should ere this have sought (as
 other of the King’s Governors have done) an Assylum on Board of one of
 His Majesty’s Ships. But as I am conscious that I have the true Interest
 and Welfare of the People at Heart (though I am so unhappy as to
 differ widely in Opinion with their Representatives respecting the best
 Means of serving them in the present Crisis) I shall continue my Con-
 fidence in that Affection and Regard which I have on so many Occa-
 sions experienced from all Ranks during my Residence in this Colony.
 I have, indeed, the stronger Inducement to run this Risk, and to use my
 Influence with the other Crown Officers to do the same, because our
 Retreat would necessarily be attributed to either the Effect or well-
 grounded Apprehension of Violence, and of Course subject the Colony
 to be more immediately considered as in actual Rebellion, and be pro-
 ductive of Mischiefs which it is my earnest Inclination and Determina-
 tion to prevent as far as may be in my Power. Let me therefore, Gen-
 tlemen, entreat you to exert your Influence likewise with the People,
 that they may not, by any action of theirs, give Cause for the bringing
 such Calamities on the Province. No Advantage can possibly result
 from the Seizing, Confinement, or Ill-treatment of Officers adequate to
 the certain Damage such Acts of Violence must occasion the Province to
 suffer.

However, Gentlemen, if you should be of a different Opinion, and
 will not or can not answer for our Safety, all I ask is, that you would
 tell me so in such plain open Language as cannot be misunderstood.
 For as Sentiments of Independency are, by some Men of present Conse-
 quence, openly avowed, and Essays are already appearing in the publick
 Papers to ridicule the People’s Fears of that horrid Measure, and remove

their Averſion to Republican Government, it is high Time that every Man ſhould know what he has to expect. If, as I hope, you have an Abhorrence of ſuch Deſign, you will do your Country an eſſential Service by declaring it in ſo full and explicit Terms as may diſcourage the Attempt. You may always rely on finding me ready to co-operate with you in every proper Expedient for promoting Peace, Order, and good Government; and I ſhall deem it a particular Happineſs to have an Opportunity of being inſtrumental in ſaving this Province from the preſent impending Danger.

W^m. FRANKLIN.

COUNCIL-CHAMBER, }
Nov. 16, 1775. }

Ordered,

That His Excellency's Speech be read a ſecond Time.

The Houſe adjourned till Ten o'Clock To-morrow Morning.

Friday, November 17, 1775.

The Houſe met.

Mr. Crane had Leave of Abſence on ſpecial Occaſion.

Mr. Speaker laid before the Houſe a Letter to him from *Richard Penn* and *Arthur Lee*, Eſquires, which was read, and the ſame is as follows, viz.

“ To the Honourable the Speaker of the Aſſembly of New-Jerſey.

“ London, September 2, 1775.

“ Honourable Sir,

“ ON the 21ſt of laſt Month we ſent to the Secretary of State for “ America, a Copy of the Petition from the General Congreſs, “ and Yeſterday, the firſt Moment that was permitted us, we preſented “ to him the Original, which His Lordſhip promiſed to deliver to His “ Maſteſty.

“ We thought it our Duty to preſs His Lordſhip to obtain an Answer, “ but we were told that as His Maſteſty did not receive it on the “ Throne, no Answer would be given.

“ We have the Honour of being, Honourable Sir,

“ Your moſt faithful and obedient Servants,

“ RICHARD PENN,

“ ARTHUR LEE.”

Mr. Kinſey and Mr. De Hart, two of the Delegates appointed by this Houſe to attend the Continental Congreſs, applied to the Houſe for Leave to reſign their ſaid Appointments, alledging that they are ſo particularly circumſtanced as to render their Attendance exceedingly inconvenient to their private Affairs;

Reſolved,

That the Houſe will take this Matter into Conſideration.

The Houſe adjourned till Three, P. M.

The

The House met.

Several Members of this House being absent, whereby the publick Business has been greatly retarded ;

Ordered,

That the Sergeant at Arms do give Notice forthwith to *Benjamin Holme, Robert F. Price, John Combs, John Wetherill, Azariah Dunham* and *William Winds*, Esquires, to attend their Service here immediately.

Mr. *Taylor*, from the Committee appointed to inquire what Business stands referred over to this Sitting, made the following Report, viz.

1. The Petitions from *Chester* and *Waterford* for and against a Law to erect a Bank, Dam, &c. across *Penfawkin* Creek.

2. A Bill, entitled, *An Act to prevent Swine running at Large in Bridgetown, in the County of Cumberland.*

3. The Petition of that Part of *Somerset* lying in the Borough of *Elizabeth*, praying that they may be annexed to *Essex* County.

4. A Bill to enable the Proprietors of low Lands on *Passaick* and *Dead* Rivers, to clear the same.

5. The Petitions from the County of *Burlington*, for a Bridge over *Affiscunk* Creek.

6. The Petition from a Number of the Proprietors of the Western Division, praying a Law for the final Settlement of the Line.

7. The Petition from a Number of Inhabitants of *Suffex* County lying to the Eastward of *Lawrence's* Line.

8. The Petition from a Number of Freeholders of *Hackinsack* and *New-Barbados*, in the County of *Bergen*, setting forth Difficulties occasioned by a Drawbridge.

9. The Bill for suppressing Immorality.

10. *Joseph Phillips* and *Charles Axford*, junior's, Petition for a Compensation for numbering the People.

11. Four Petitions from *Morris* against Rams running at Large.

12. Bill for the Manumission of Slaves.

Mr. *Mebelm* had Leave to be absent on *Monday* next upon special Business.

The House adjourned till Nine o'Clock To-morrow Morning.

Saturday, November 18, 1775.

The House met, and adjourned till *Monday* Morning Ten o'Clock.

Monday, November 20, 1775.

The House met, and adjourned till Three, P. M.

The

The House met.

Mr. *Combs* and Mr. *Winds* appeared and assigned to the House satisfactory Reasons for their Non-Appearance.

Mr. *Hinchman*, from the Committee nominated to inquire what Laws are expired or are near expiring, made the following Report, viz.

An Act for the Continuance of an Act, entitled, *An Act for erecting the Bridge over Salem Creek into a Toll-Bridge*—will expire the first Day of October 1776.

2. An Act to revive and continue two Acts therein mentioned. (The Act to regulate the Method of taking Fish in the River *Delaware*, and to prevent Obstructions in the Navigation thereof, &c. and the Supplement thereto.) This Act was made in December 1771, to continue five Years, if *Pennsylvania* passed a similar Law or Laws, but it does not appear they ever did.

3. An Act to provide a more effectual Remedy against excessive Costs in the Recovery of Debts under Fifty Pounds, in this Colony, &c.—expires this Session.

4. An Act for the Relief of Insolvent Debtors, passed in December 1771, and limited to five Years.

5. An Act for the Recovery of Debts between Six and Ten Pounds, &c.—expires the End of this Session.

Ordered,

That Mr. *Fisher*, Mr. *Hinchman*, Mr. *Sheppard*, Mr. *Tucker* and Mr. *Ford*, be a Committee to bring in a Bill for the more effectual Remedy against excessive Costs in Actions under Fifty Pounds, and a Bill for the Recovery of Debts above Six Pounds and under Fifteen Pounds.

Mr. *Demarest*, in Pursuance of Leave heretofore granted, brought in a Bill, entitled; *A supplementary Act to an Act, entitled, An Act appointing Commissioners for finally settling and determining the several Rights, Titles and Claims to the common Lands in the Township of Bergen, and for making Partition thereof, in just and equitable Proportions, among those who shall be adjudged by the said Commissioners to be entitled to the same*; which was read, and ordered a second Reading.

The Petition from *Isaac Haines* and others, for Leave to bring in a Bill to authorize him to erect a Dam on the southernmost Branch of *Ancocas* Creek, in the County of *Burlington*, was read the second Time; and it appearing that publick Notice has been duly given in the Papers, and no Objection being made,

Ordered,

That the Petitioners have Leave to bring in a Bill.

A Petition was presented to the House from fifty-two Inhabitants of the Township of *Chesterfield*, in the County of *Burlington*, setting forth their Abhorrence of personal Slavery, and praying the Legislature to take the Matter into their most serious Consideration, and pass an Act to set free all the Slaves now in the Colony; which Petition was read, and ordered a second Reading.

His

His Excellency's Speech was read the second Time, and committed to a Committee of the whole House.

The House adjourned till Nine o'Clock To-morrow Morning.

Tuesday, November 21, 1775.

The House met.

A Petition was presented to the House from *Samuel Harrison*, Esquire, of *Gloucester* County, praying a Law to oblige the Owner of a certain Causeway there, to raise the same above the Flow of the Tides, pursuant to a certain Agreement; the same was read,

Ordered,

That the Petition be read a second Time on *Tuesday* next, at three o'Clock in the Afternoon, and that the Petitioner do give timely Notice thereof to *Daniel Cozens*, of *Gloucester* County, that he may then attend, if he hath any Objection to the Prayer of the Petition.

A Petition was presented to the House from divers Inhabitants of the County of *Burlington*, praying, for the Reasons therein set forth, that young Men, living with their Parents, may be taxed; the same was read, and ordered a second Reading.

The House, according to Order, resolved itself into a Committee of the whole House, on his Excellency's Speech, and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported, that the Committee had gone through the Speech, and had come to sundry Resolutions, which he was ready to report whenever the House will please to receive the same;

Ordered,

That the Report be made immediately; whereupon Mr. *Fisher* reported the Resolutions of the Committee as follow, *viz.*

1. *Resolved,*

That an humble Address be presented to His Excellency, in answer to his Speech; to which the House agreed.

2. *Resolved,*

That the Government of this Colony be honourably supported from the first Day of *October* 1775 to the first Day of *October* 1776; to which the House agreed.

Ordered,

That Mr. *Fisher*, Mr. *Lawrence*, Mr. *Kinsley* and Mr. *Gibbon*, be a Committee to prepare and bring in the Draught of an Address to His Excellency, in answer to his Speech.

Ordered,

That Mr. *Hinchman*, Mr. *Tucker*, Mr. *Sheppard*, Mr. *Demarest* and Mr. *Sykes*, be a Committee to prepare and bring in a Bill for Support of Government.

A Petition was brought in and presented from several Proprietors of Meadows on *Mantua* Creek, in the County of *Gloucester*, praying a Law to declare the said Creek a lawful Fence, from the Mouth thereof to the upper Bounds of *James Hinchman's* Land; the said Petition being read,

Ordered,

That the second Reading of this Petition be had on *Tuesday* next, at three o'Clock in the Afternoon; and that the Petitioners give proper Notice hereof to *Joshua Cozens*, that he may then appear, if he thinks fit, and make his Objections against the same.

The House adjourned till Three, P. M.

The House met.

Ordered,

That the Petitioners from *Chester* and *Waterford* Townships, for and against a Dam across *Penfawkin* Creek, be heard before the House on *Friday* next, at three o'Clock, P. M. and that *John Roberts* do give immediate Notice thereof to the Petitioners for the Dam.

The Petition of that Part of *Somerset* lying in the Borough of *Elizabeth*, praying to be annexed to *Essex* County, was referred to the next Session at *Perth-Amboy*.

Ordered,

That Mr. *Elmer*, Mr. *Mehelm* and Mr. *Ford*, be a Committee to bring in a Bill to authorize the Justices and Freeholders of the several Counties to pay all Persons heretofore appointed to number the Inhabitants of the Colony.

The House adjourned till Nine o'Clock To-morrow Morning.

Wednesday, November 22, 1775.

The House met.

A Petition was presented to the House from *Webley Edwards*, Prisoner for Debt in *Monmouth* Gaol, setting forth the Hardship of his Case, and praying Relief; which was read, together with a Certificate or Recommendation of the Petition from sundry Persons;

Ordered,

That the Petition and Recommendation be read a second Time.

The House took into Consideration the Request of *James Kinsey* and *John De Hart*, Esquires, two of the Delegates appointed by this House to attend the Continental Congress, for Leave to resign their said Appointments;

Resolved,

That the Reasons given by those Gentlemen, for their Resignation, appear to the House to be satisfactory, and that their Resignation be therefore accepted; Thereupon,

Resolved,

Resolved,

That the Three remaining Delegates, or any Two of them, represent the Colony during the present Continental Congress.

On the Question, Whether the House agrees to this last Resolve or not? It passed in the Affirmative as follows, *viz.*

Yeas.	Yeas.	Yeas.	Nays.
Mr. Combs,	Mr. Demarest,	Mr. Holme,	Mr. Paxson,
Mr. Taylor,	Mr. Ford,	Mr. Hand,	Mr. Hinchman:
Mr. Lawrence,	Mr. Winds,	Mr. Tucker,	
Mr. Garritse,	Mr. Kinsey,	Mr. Mehelm,	
Mr. Fisher,	Mr. Hewlings,	Mr. Sheppard,	
Mr. Roy,	Mr. Sykes,	Mr. Elmer,	
Mr. Dey,	Mr. Gibbon,	Mr. Barton.	

Resolved,

That it is the Opinion of, and this House do advise that the present Committee of Correspondence may draw any Part of the Sum of *One Thousand Pounds* made subject to their Order by an Act passed in 1773, not exceeding *Two Hundred Pounds*, to pay the further Expences of the Delegates appointed by this House to attend the Continental Congress, and that this House will allow thereof.

On Motion made,

Ordered,

That Mr. Taylor, Mr. Lawrence and Mr. Combs, be a Committee to prepare and bring in a Bill to enable the Justices and Freeholders of *Monmouth* to elect Loan-Officers.

A Message from His Excellency by Mr. D. Secretary Pettit.

A MESSAGE to the ASSEMBLY.

GENTLEMEN,

AS I understand that there is now a sufficient Number of Members met to proceed on Business of every Kind proper for your Consideration, I am to lay before you a Requisition from His Majesty. It is contained in a Letter which I have lately had the Honour of receiving from the Right Honourable the Earl of Dartmouth, one of His Majesty's principal Secretaries of State. His Lordship writes thus—

“ I enclose an Order of His Majesty in Council, approving an Act for striking One Hundred Thousand Pounds in Bills of Credit, and directing the Mode for sinking the same.”

“ The very great Attention which has been shewn to the Wishes of the Province, in the Allowance of the Loan Act, is an Evidence of His Majesty's gracious Inclination to give them *every Indulgence that can consist with the true Principles of Commerce and the Constitution*; and I beg Leave to assure you, that no Part of my Duty is more agreeable to me than carrying into Execution these gracious Intentions of my Royal Master.”

“ At the same Time I am commanded by the King to say to you, that it would have been more agreeable to His Majesty, if the Assembly, instead of a general Appropriation of the Interest of the Loan to
“ the

“ the Support of Government in such Manner as shall be directed by
 “ future Acts, had thought fit to make a Settlement, during the Exist-
 “ ence of that Loan, upon the Civil Officers of Government, of *Salaries*
 “ *more suitable to their respective Offices than what they now receive ;*
 “ and to appropriate a specific Portion of the said Interest, to *building*
 “ *Houses for the Residence of the Governor and the Meeting of the Legis-*
 “ *lature, of which you say there is a shameful Want.*—Such an Ap-
 “ propriation is no more than what they owe to *the Dignity of their own*
 “ *Government and His Majesty’s just Expectations ;* and, therefore, it is
 “ His Majesty’s Pleasure, that you do require the Assembly, in His
 “ Majesty’s Name, to make such Provision accordingly, trusting that
 “ they will not make such an ill-Return to His Majesty’s Grace and
 “ Favour, in the Confirmation of this Law, as not to comply with *so*
 “ *just and reasonable a REQUISITION.*”

I shall not Gentlemen so far hazard the giving you Offence as to suppose that any Arguments can be requisite to persuade you to a Compliance with His Majesty’s Desire and Expectations in this respect ; more especially as the Mode for raising the Money does not require any Tax to be laid on the Inhabitants of the Province, and will, if adopted, most probably be the Means of establishing a Precedent that may render all Taxes for the future Support of Government unnecessary.—You must likewise be fully sensible, that as the King has manifested such Confidence in the legal Representatives of the People, it cannot but be their Interest as well as Duty, particularly at this Time, to convince Him that that Confidence is not misplaced. Besides, such repeated Declarations have been made to His Majesty, that he might always have the firmest Reliance on the Compliance of his Subjects in this Colony with every reasonable Requisition in their Power, and this being so evidently of that Nature, I cannot entertain a Doubt of your being happy in having so good an Opportunity of demonstrating that you mean your Actions should ever correspond with your Professions.

W^M. FRANKLIN.

BURLINGTON, }
 Nov. 21, 1775. }

Which was read, and ordered a second Reading.

The House adjourned till Three, P. M.

The House met.

The House took into Consideration the four Petitions from *Morris*, for the better Regulation of Sheep ;

Ordered,

That Mr. *Dey* and Mr. *Winds* be a Committee to prepare and bring in a Bill for the better Regulation of Sheep.

The House adjourned till Nine o’Clock To-morrow Morning.

Thursday, November 23, 1775.

The

The House met.

Mr. *Hinchman*, from the Committee appointed to that Service, brought in a Bill, entitled, *An Act for the speedy Recovery of Debts from Six Pounds to Fifteen Pounds, for small Fees*; which was read, and ordered a second Reading.

A Petition was presented to the House from thirty-two Freeholders of the County of *Burlington*, praying the House to enter into such Resolves as may discourage an Independency on *Great-Britain*; and that they will also support the Civil Government as heretofore; which was read, and ordered a second Reading.

Mr. *Ford*, from the Committee on that Service, brought in a Bill, entitled, *An Act to authorize the Board of Justices and Freeholders of the several Counties in the Colony of New-Jersey, to defray the Expence of taking Lists of the Inhabitants*; which was read, and ordered a second Reading.

His Excellency's Message of Yesterday Morning, about appropriating the Interest of the Loan-Office Money for increasing and rendering permanent the Salaries of the Officers of Government, and for building suitable Houses for the Accommodation of the Legislature; was read the second Time;

Ordered,

That Mr. *Kinsey*, Mr. *Crane*, Mr. *Fisher* and Mr. *Paxson*, be a Committee to prepare and bring in the Draught of an Answer to the said Message.

On a Motion made,

That the several Barracks in this Colony are in such Decay, that unless repaired they will be in Ruins, and that a Resolve may pass, that this House will make Provision, during this Session, for the Repairing the same; the Question was taken, Whether the House will enter into such Resolution or not? It passed in the Negative as follows, *viz.*

Yeas.	Yeas.	Nays.	Nays.
Mr. <i>Crane</i> ,	Mr. <i>Holme</i> ,	Mr. <i>Combs</i> ,	Mr. <i>Paxson</i> ,
Mr. <i>Fisher</i> ,	Mr. <i>Tucker</i> ,	Mr. <i>Taylor</i> ,	Mr. <i>Sykes</i> ,
Mr. <i>Roy</i> ,	Mr. <i>Mehelm</i> ,	Mr. <i>Lawrence</i> ,	Mr. <i>Gibbon</i> ,
Mr. <i>Ford</i> ,	Mr. <i>Elmer</i> ,	Mr. <i>Garritse</i> ,	Mr. <i>Hand</i> ,
Mr. <i>Winds</i> ,	Mr. <i>Barton</i> .	Mr. <i>Dey</i> ,	Mr. <i>Eldridge</i> ,
Mr. <i>Kinsey</i> ,		Mr. <i>Demarest</i> ,	Mr. <i>Sheppard</i> .
Mr. <i>Hinchman</i> ,		Mr. <i>Hewlings</i> ,	

The House took into Consideration the several Petitions referred from last Session, for and against a Bill for the more easy Manumission of Slaves; the Bill being read, after some Time spent in Debate thereon, the Question was put, Whether the Bill shall be committed or not? It passed in the Negative as follows, *viz.*

Yeas.	Yeas.	Nays.	Nays.
Mr. <i>Lawrence</i> ,	Mr. <i>Tucker</i> ,	Mr. <i>Combs</i> ,	Mr. <i>Demarest</i> ,
Mr. <i>Kinsey</i> ,	Mr. <i>Mehelm</i> ,	Mr. <i>Taylor</i> ,	Mr. <i>Ford</i> ,
Mr. <i>Hewlings</i> ,	Mr. <i>Sheppard</i> ,	Mr. <i>Crane</i> ,	Mr. <i>Winds</i> ,
Mr. <i>Paxson</i> ,	Mr. <i>Elmer</i> .	Mr. <i>Garritse</i> ,	Mr. <i>Holme</i> ,
Mr. <i>Sykes</i> ,		Mr. <i>Fisher</i> ,	Mr. <i>Hand</i> ,
Mr. <i>Hinchman</i> ,		Mr. <i>Roy</i> ,	Mr. <i>Eldridge</i> ,
Mr. <i>Gibbon</i> ,		Mr. <i>Dey</i> ,	Mr. <i>Barton</i> .
			Thereupon,

Thereupon, upon the Question,

Resolved,

That the said Bill be referred to the next Session of Assembly;

Yeas.	Yeas.	Nays.	Nays.
Mr. Lawrence,	Mr. Hinchman,	Mr. Combs,	Mr. Eldridge,
Mr. Fisher,	Mr. Gibbon,	Mr. Taylor,	Mr. Barton.
Mr. Roy,	Mr. Holme,	Mr. Crane,	
Mr. Ford,	Mr. Tucker,	Mr. Garritse,	
Mr. Kinsey,	Mr. Mehelm,	Mr. Dey,	
Mr. Hewlings,	Mr. Sheppard,	Mr. Demarest,	
Mr. Paxson,	Mr. Elmer.	Mr. Winds,	
Mr. Sykes,		Mr. Hand,	

The House adjourned till Three, P. M.

The House met.

Mr. Paxson, in Behalf of the Petitioner, and in Pursuance of the Leave granted, brought in a Bill, entitled, *An Act to empower Isaac Haines to erect a Dam, Mills and other Waterworks, on the southermost Branch of Ancocas Creek, in the Township of Evesham, in the County of Burlington;* which was read, and ordered a second Reading.

Mr. Fisher, from the Committee appointed to bring in the Draught of an Address to His Excellency, produced a Draught accordingly; which was read, and ordered to be read a second Time.

The Bill, entitled, *A supplementary Act to an Act, entitled, An Act appointing Commissioners for finally settling and determining the several Rights, Titles and Claims to the Common Lands in the Township of Bergen, and for making Partition thereof, in just and equitable Proportions, among those who shall be adjudged, by the said Commissioners, to be entitled to the same;* was read the second Time, amended in the House, and, upon the Question, agreed to, and ordered to be engrossed.

The House adjourned till Nine o'Clock To-morrow Morning.

Friday, November 24, 1775.

The House met.

Mr. Crane had Leave of Absence till Monday Afternoon next.

Mr. Hinchman, from the Committee on that Service, brought in a Bill, entitled, *An Act to provide a more effectual Remedy against excessive Costs in the Recovery of Debts under Fifty and above Fifteen Pounds, in this Colony, and for other Purposes therein mentioned;* which was read, and ordered a second Reading.

The Engrossed Bill, entitled, *A supplementary Act to an Act, entitled, An Act appointing Commissioners for finally settling and determining the several Rights, Titles and Claims, to the Common Lands in the Township of Bergen,*

Bergen, and for making Partition thereof, in just and equitable Proportions, among those who shall be adjudged, by the said Commissioners, to be entitled to the same; was read and compared; on the Question,

Resolved,

That the same do pass.

Ordered,

That Mr. Dey and Mr. Garritse do carry the said Bill to the Council for Concurrence.

Resolved,

That Dennis De Berdt, Esq. be, and he is hereby appointed Agent of this Colony, at the Court of Great-Britain, in the Room of Benjamin Franklin, Esq.

The Address to His Excellency was read the second Time, and committed to a Committee of the whole House.

The House accordingly resolved itself into a Committee of the whole House on the Address; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. Fisher, Chairman of the Committee, reported, that the Committee had made some Progress in the Matter to them referred, and desired Leave to sit again.

Ordered,

That the said Committee do sit again.

Mr. Winds, from the Committee appointed for that Purpose, brought in a Bill, entitled, *An Act to prevent Rams from running at Large at certain Seasons of the Year*; which was read, and ordered a second Reading.

The House adjourned till Three, P. M.

The House met.

According to Order, the Parties for and against a Dam on the south Branch of *Penfawkin* Creek, at a Place called the *Poplar* Landing, attending, were called in, and their several Allegations fully heard; on the Question,

Ordered,

That the Petitioners for the Dam have Leave to bring in a Bill accordingly.

The Bill, entitled, *An Act to empower Isaac Haines to erect a Dam, Mills and other Waterworks, on the southernmost Branch of Ancocas Creek, in the Township of Evelham, in the County of Burlington*; was read the second Time, amended in the House, agreed to, and ordered to be engrossed.

Mr. Taylor, from the Committee appointed for the Purpose, brought in a Bill, entitled, *A supplementary Act to the Act, entitled, An Act for striking One Hundred Thousand Pounds in Bills of Credit, and directing the Mode for sinking the same*; which was read, and ordered a second Reading.

Mr.

Mr. *Dey* reported, that Mr. *Garritse* and himself delivered the Bill with them intrusted, to the Speaker in Council.

A Petition was presented to the House from thirty-four Freeholders of the County of *Burlington*, praying the House to enter into such Resolves as may discourage an Independency on *Great-Britain*; and to support the Civil Government as heretofore; which was read, and ordered a second Reading.

The House adjourned till Nine o'Clock To-morrow Morning.

Saturday, November 25, 1775.

The House met.

The engrossed Bill, entitled, *An Act to empower Isaac Haines to erect a Dam, Mills and other Waterworks, on the southernmost Branch of Ancocas Creek, in the Township of Evelham, in the County of Burlington*; was read and compared; on the Question,

Resolved,

That the same do pass.

Ordered,

That Mr. *Sykes* and Mr. *Elmer* do carry the said Bill to the Council for Concurrence.

Agreeably to Leave granted, at last Session, Mr. *Tucker* brought in a Bill, entitled, *A supplementary Act to an Act, entitled, An Act for the better enabling of Creditors to recover their just Debts from Persons who abscond themselves*; which was read, and ordered a second Reading.

The House again, according to Order, resolved itself into a Committee of the whole House, on the Address to His Excellency; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported, that the Committee had gone through the Address, and had made sundry Amendments to the same, which, by Order of the House, he reported, and the same being read and further amended in the House, the further Consideration thereof was referred till the Afternoon.

The House adjourned till Three, P. M.

The House met.

Mr. *Hinchman* had Leave of Absence till Monday Noon next.

A Petition was presented to the House from Nineteen Freeholders of the City of *Burlington* and Parts adjacent, praying the House to enter into such Resolves as may discourage an Independency on *Great-Britain*; and that they will also support the Civil Government as usual; which was read, and ordered a second Reading.

The

The House resumed the Consideration of the Address with the Amendments, and, after some Time spent therein, the said Address as amended was agreed to, and ordered to be engrossed ;

Yeas.	Yeas.	Yeas.	Nay.
Mr. Combs,	Mr. Demarest,	Mr. Hand,	Mr. Kinsey.
Mr. Taylor,	Mr. Ford,	Mr. Eldridge,	
Mr. Lawrence,	Mr. Winds,	Mr. Tucker,	
Mr. Garritse,	Mr. Hewlings,	Mr. Mehelm,	
Mr. Fisher,	Mr. Sykes,	Mr. Sheppard,	
Mr. Roy,	Mr. Gibbon,	Mr. Elmer,	
Mr. Dey,	Mr. Holme,	Mr. Barton.	

The Bill, entitled, *An Act to prevent Rams from running at Large at certain Seasons of the Year*, was read the second Time, amended in the House, and, upon the Question, agreed to, and ordered to be engrossed.

The House adjourned till Monday Morning Nine o'Clock.

Monday, November 27, 1775.

The House met.

The Engrossed Bill, entitled, *An Act to prevent Rams from running at Large at certain Seasons of the Year*, was read and compared ; on the Question,

Resolved,

That the same do pass ;

Yeas.	Yeas.	Nays.	Nays.
Mr. Taylor,	Mr. Ford,	Mr. Combs,	Mr. Hand,
Mr. Lawrence,	Mr. Winds,	Mr. Fisher,	Mr. Eldridge,
Mr. Garritse,	Mr. Holme,	Mr. Kinsey,	Mr. Mehelm,
Mr. Roy,	Mr. Tucker,	Mr. Hewlings,	Mr. Elmer.
Mr. Dey,	Mr. Sheppard,	Mr. Gibbon,	
Mr. Demarest,	Mr. Barton.		

Ordered,

That Mr. Winds and Mr. Roy do carry the said Bill to the Council for Concurrence.

The Bill, entitled, *A supplementary Act to the Act, entitled, An Act for striking One Hundred Thousand Pounds in Bills of Credit, and directing the Mode for sinking the same* ; was read the second Time, amended in the House, agreed to, and ordered to be engrossed.

The Bill, entitled, *An Act to authorize the Board of Justices and Freeholders of the several Counties in the Colony of New-Jersey, to defray the Expence of taking Lists of the Inhabitants* ; was read the second Time, amended in the House, and, upon the Question, agreed to, and ordered to be engrossed.

A Petition was presented to the House from forty-eight Freeholders of the County of Burlington, praying the House to enter into such Resolves as may discourage an Independency on Great-Britain, and that

that they will support the Civil Government as heretofore ; which was read, and ordered a second Reading.

Ordered,

That the Sergeant at Arms do summon the Signers of a Petition from the City of *Burlington*, presented to the House on *Saturday* last, to attend this House at four o'Clock this Afternoon.

Mr. *Tucker*, from the Committee appointed to that Service, brought in a Bill, entitled, *An Act for the Support of Government of His Majesty's Colony of New-Jersey, to commence the first Day of October One Thousand Seven Hundred and Seventy-five, and to end the first Day of October One Thousand Seven Hundred and Seventy-six ; and to discharge the publick Debts and contingent Charges thereof ;* which was read, and ordered a second Reading.

The House adjourned till Three, P. M.

The House met.

The Engrossed Bill, entitled, *An Act to authorize the Board of Justices and Freeholders of the several Counties in the Colony of New-Jersey, to defray the Expence of taking Lists of the Inhabitants ;* was read and compared ; on the Question,

Resolved,

That the same do pass ;

Yeas.	Yeas.	Nays.	Nays.
Mr. <i>Lawrence</i> ,	Mr. <i>Hinchman</i> ,	Mr. <i>Combs</i> ,	Mr. <i>Kinsey</i> ,
Mr. <i>Fisher</i> ,	Mr. <i>Gibbon</i> ,	Mr. <i>Taylor</i> ,	Mr. <i>Hand</i> ,
Mr. <i>Roy</i> ,	Mr. <i>Holme</i> ,	Mr. <i>Garritse</i> ,	Mr. <i>Eldridge</i> ,
Mr. <i>Demarest</i> ,	Mr. <i>Elmer</i> ,	Mr. <i>Dey</i> ,	Mr. <i>Sheppard</i> .
Mr. <i>Ford</i> ,	Mr. <i>Tucker</i> ,	Mr. <i>Sykes</i> ,	
Mr. <i>Winds</i> ,	Mr. <i>Mebelm</i> ,		
Mr. <i>Hewlings</i> ,	Mr. <i>Barton</i> .		
Mr. <i>Paxson</i> ,			

Ordered,

That Mr. *Hewlings* and Mr. *Gibbon* do carry the said Bill to the Council for Concurrence.

Mr. *Sykes* reported, that Mr. *Elmer* and himself delivered the Bill with them intrusted to Mr. *Hopkinson*, one of the Gentlemen of the Council, the Council not then sitting.

Mr. *Winds* reported, that Mr. *Roy* and himself delivered the Bill with them intrusted to Mr. *Hopkinson*, one of the Gentlemen of the Council, the Council not then sitting.

Mr. *Hewlings* reported, that Mr. *Gibbon* and himself delivered the Bill with them intrusted to Mr. *Hopkinson*, one of the Gentlemen of the Council, the Council not then sitting.

The Bill, entitled, *A supplementary Act to an Act, entitled, An Act for the better enabling of Creditors to recover their just Debts from Persons*

sons who abscond themselves; was read the second Time, and committed to Mr. Kinsley, Mr. Hinchman and Mr. Mehelm.

According to Order the Petitioners from the City of *Burlington* attended, and being called in and heard,

Ordered,

That the Consideration thereof be referred till To-morrow Morning.

The House adjourned till Nine o'Clock To-morrow Morning.

Tuesday, November 28, 1775.

The House met.

The Engrossed Bill, entitled, *A supplementary Act to the Act, entitled, An Act for striking One Hundred Thousand Pounds in Bills of Credit, and directing the Mode for sinking the same*; was read and compared; on the Question,

Resolved,

That the same do pass.

Ordered,

That Mr. Lawrence and Mr. Combs do carry the said Bill to the Council for Concurrence.

The House was moved that a Committee be appointed to prepare the Draught of a Petition to His Majesty, humbly beseeching him to use his Interposition to prevent the Effusion of Blood; and to express the great Desire this House hath to a Restoration of Peace and Harmony with the parent State on constitutional Principles;

Ordered,

That Mr. Fisher, Mr. Kinsley, Mr. Paxson, Mr. Tucker, Mr. Lawrence and Mr. Gibbon, be a Committee to prepare and bring in the Draught of a Petition accordingly.

Mr. Winds had Leave of Absence for the Remainder of the Session upon extraordinary Occasions.

A Memorial was presented to the House from *Charles Pettit*, Esquire, praying Compensation for his Services as Deputy-Secretary and Clerk of the Supreme Court, for which no Pay is provided; the same was read, and ordered to be read a second Time.

The House took into Consideration the Inquiry had Yesterday touching the Petitions presented to this House; and it appearing from the Petitioners of the City of *Burlington*, who were called in and heard, that they signed the same from Reports that some Men affected Independency; and being alarmed at such Sentiments, they were induced to present the Petition, hoping that the House would discourage such Sentiments by their Resolutions; whereupon the several Petitions being read the second Time,

Resolved,

That Reports of Independency in the Apprehension of this House are Groundless.

2 Resolved,

2 Resolved,

That it be recommended to the Delegates of the Colony to use their utmost Endeavours for the obtaining a Redress of *American* Grievances, and for restoring the Union between the Colonies and *Great-Britain* upon constitutional Principles.

3 Resolved,

That the said Delegates be directed not to give their Assent to, but utterly to reject any Propositions, if such should be made, that may separate this Colony from the Mother Country, or Change the Form of Government thereof.

The House also taking into Consideration the Conduct of Mr. *Richard Smith*, late of *Philadelphia*, Merchant, upon the Hearing had Yesterday ;

Ordered,

That the Sergeant at Arms do bring the said *Richard Smith* before this House at four o'Clock this Afternoon, to answer for the Insult offered by him to the House during the said Hearing.

Ordered,

That Mr. *Tucker*, Mr. *Taylor*, Mr. *Sheppard*, Mr. *Hewlings* and Mr. *Gibbon*, or any three of them, be a Committee to settle all publick Accounts that may come before the House this Session.

The House adjourned till Three, P. M.

The House met.

The Petition from *Webley Edwards*, Prisoner for Debt in *Monmouth* Gaol, was read the second Time, and referred to the next Session of Assembly.

This Day being appointed for a Hearing relative to the Petition of *Samuel Harrison*, Esquire, against *Daniel Cozens*, the House was informed by a Letter from *Samuel Harrison*, Esquire, that the Matter is amicably settled ; therefore,

Ordered,

That the Petition be dismissed.

According to Order the Petition for constituting *Mantua* Creek a lawful Fence, was read the second Time, together with several other Papers relative to the same ;

Ordered,

That the Petitioners have Leave to bring in a Bill at next Session, provided no reasonable Objections shall then appear against the same.

Mr. *Richard Smith* attending pursuant to the Order of the Forenoon, and being examined as to the Words spoken by him of the Member, informed the House that he neither intended any Offence or Insult to the House or any Member of it, and that he is sorry any Member of this House should take it as an Insult upon him ; with which this House being satisfied, and being of Opinion that it appears Mr. *Smith* really misapprehended the Words of the Member, and that the same
Member

Member is not justly chargeable with such Opinions, do discharge Mr. *Smith* from any further Attendance on the House.

Mr. *Hinchman*, from the Committee to whom was committed the Bill, entitled, *A supplementary Act to the Act, entitled, An Act for the better enabling of Creditors to recover their just Debts from Persons who abscond themselves*; reported the same with several Amendments; and the Bill being read with the Amendments in their Places,

Ordered,

That the said Bill as amended be engrossed.

The Bill, entitled, *An Act for the speedy Recovery of Debts from Six Pounds to Fifteen Pounds, for small Fees*; was read the second Time, amended in the House, and, upon the Question, agreed to, and ordered to be engrossed.

The House adjourned till Nine o'Clock To-morrow Morning.

Wednesday, November 29, 1775.

The House met.

According to the Leave given Mr. *Hinchman*, in Behalf of the Petitioners, brought in a Bill, entitled, *An Act to enable the Owners and Possessors of Meadows and Tide-Marsh lying on both Sides of the south Branch of Penfawkin Creek, in the Counties of Burlington and Gloucester, to erect and maintain a Bank, Dam and other Waterworks across the said Creek, in order to prevent the Tide from overflowing the same*; which was read, and ordered a second Reading.

The Engrossed Address to His Excellency was read and compared; on the Question,

Ordered,

That Mr. Speaker do sign the same.

Ordered,

That Mr. *Tucker* and Mr. *Elmer* do wait upon the Governor and desire to know when His Excellency will be attended by the House with their Address.

The Engrossed Bill, entitled, *A supplementary Act to the Act, entitled, An Act for the better enabling of Creditors to recover their just Debts from Persons who abscond themselves*; was read and compared; on the Question,

Resolved,

That the same do pass;

Ordered,

That Mr. *Holme* and Mr. *Mehelm* do carry the said Bill to the Council for Concurrence.

The Bill for the Support of Government was read the second Time, and committed to a Committee of the whole House.

The Memorial from *Charles Pettit*, Esquire, praying Compensation for his extra Services; was read the second Time, and referred to the Committee of the Whole House on the Support Bill.

The House resolved itself into a Committee of the whole House on the Bill for Support of Government ; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported, that the Committee had made some Progress in the Matters to them referred, and desired Leave to sit again ; to which the House agreed.

Mr. *Lawrence* reported, that Mr. *Combs* and himself delivered the Bill with them intrusted to the Speaker in Council.

Mr. *Holme* reported, that Mr. *Mehelm* and himself delivered the Bill with them intrusted to the Speaker in Council.

The House adjourned till Three, P. M.

The House met.

A MESSAGE from the Council by Mr. *Stockton*, acquainting the House that the Council have passed the Bill, entitled, *An Act to authorize the Board of Justices and Freeholders of the several Counties in the Colony of New-Jersey to defray the Expence of taking Lists of the Inhabitants ;* and also the Bill, entitled, *An Act to prevent Rams from running at Large at certain Seasons of the Year.*

The House again, according to Order, resolved itself into a Committee of the whole House on the Bill for Support of Government ; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported, that the Committee had gone through the Matters to them referred, and had come to several Resolutions which he was ready to report whenever the House will please to receive the same ;

Ordered,

That the Report be made immediately:

Whereupon Mr. *Fisher* reported the Resolutions of the Committee as follow, viz.

1. *Resolved,*

That in and by the said Bill, when passed into a Law, there be paid to His Excellency *William Franklin*, Esquire, Governor of this Colony, at the Rate of *Twelve Hundred Pounds per Annum*, Proclamation Money, to commence the first Day of *October* last ; and, on the Question, whether the House agrees to the said Sum or not ? It passed in the Affirmative as follows :

Yeas.	Yeas.	Yeas.	Nays.
Mr. <i>Crane</i> ,	Mr. <i>Ford</i> ,	Mr. <i>Eldridge</i> ,	Mr. <i>Combs</i> ,
Mr. <i>Garritse</i> ,	Mr. <i>Kinsey</i> ,	Mr. <i>Tucker</i> ,	Mr. <i>Taylor</i> ,
Mr. <i>Fisher</i> ,	Mr. <i>Hewlings</i> ,	Mr. <i>Mehelm</i> ,	Mr. <i>Lawrence</i> ,
Mr. <i>Roy</i> ,	Mr. <i>Hinchman</i> ,	Mr. <i>Sheppard</i> ,	Mr. <i>Sykes</i> ,
Mr. <i>Dey</i> ,	Mr. <i>Gibbon</i> ,	Mr. <i>Elmer</i> ,	Mr. <i>Hand</i> ,
Mr. <i>Demarest</i> ,	Mr. <i>Holme</i> ,	Mr. <i>Barton</i> .	who voted for £.1000.

2. To *David Ogden*, Esquire, Second Justice of the Supreme Court of this Colony, at the Rate of *One Hundred and Fifty Pounds per Annum*,

num, Money aforesaid ; and, on the Question, whether the House agrees thereto or not ? It passed in the Affirmative as follows :

Yeas.	Yeas.	Nays.
Mr. Crane,	Mr. Hinchman,	Mr. Combs,
Mr. Fisher,	Mr. Gibbon,	Mr. Taylor,
Mr. Roy,	Mr. Holme,	Mr. Lawrence,
Mr. Demarest,	Mr. Mehelm,	Mr. Garritse,
Mr. Ford,	Mr. Sheppard,	Mr. Dey,
Mr. Kinsey,	Mr. Elmer,	Mr. Hand,
Mr. Hewlings,	Mr. Barton.	Mr. Eldridge,
Mr. Sykes,		Mr. Tucker,

who voted for £.100.

3. To *Richard Stockton*, Esquire, Third Justice of the Supreme Court of this Colony, at the Rate of *One Hundred and Fifty Pounds per Annum*, Money aforesaid ; and, on the Question, whether the House agrees thereto or not ? It passed in the Affirmative as follows :

Yeas.	Yeas.	Nays.	Nays.
Mr. Crane,	Mr. Hinchman,	Mr. Combs,	Mr. Hand,
Mr. Fisher,	Mr. Gibbon,	Mr. Taylor,	Mr. Eldridge,
Mr. Roy,	Mr. Holme,	Mr. Lawrence,	Mr. Tucker,
Mr. Demarest,	Mr. Mehelm,	Mr. Garritse,	
Mr. Ford,	Mr. Sheppard,	Mr. Dey,	
Mr. Kinsey,	Mr. Elmer,	who voted for £. 100.	
Mr. Hewlings,	Mr. Barton.		
Mr. Sykes,			

4. To *Cortland Skinner*, Esquire, Attorney-General of this Colony, at the Rate of *Forty Pounds per Annum*, Money aforesaid ; and, on the Question, whether the House agrees thereto or not ? It passed in the Affirmative as follows :

Yeas.	Yeas.	Nays.	Nays.
Mr. Crane,	Mr. Sykes,	Mr. Combs,	Mr. Hand,
Mr. Garritse,	Mr. Hinchman,	Mr. Taylor,	Mr. Eldridge,
Mr. Fisher,	Mr. Gibbon,	Mr. Lawrence,	Mr. Tucker,
Mr. Roy,	Mr. Holme,	Mr. Dey,	
Mr. Demarest,	Mr. Mehelm,	who voted for £. 30.	
Mr. Ford,	Mr. Sheppard,		
Mr. Kinsey,	Mr. Elmer,		
Mr. Hewlings,	Mr. Barton.		

5. To *Joseph Smith* and *John Smyth*, Esquires, Treasurers of this Colony, each at the Rate of *Forty Pounds per Annum*, Money aforesaid ; to which the House agreed.

6. To the Clerk of the Council for the Time being, at the Rate of *Thirty Pounds per Annum*, Money aforesaid ; to which the House agreed.

7. To the Agent of this Colony for the Time being, at the Rate of *One Hundred Pounds per Annum*, Money aforesaid ; to which the House agreed.

8. To the Clerk of the Circuits for the Time being, residing in this Colony, the Sum of *Twenty Pounds per Annum*, Money aforesaid ; to which the House agreed.

9. To

9. To the Doorkeeper of the Council of this Colony, at the Rate of *Ten Pounds per Annum*, Money aforesaid; to which the House agreed.

10. To His Excellency WILLIAM FRANKLIN, Esquire, at the Rate of *Sixty Pounds per Annum*, Money aforesaid, for House-Rent, provided he makes *Perth-Amboy* or *Burlington* the Place of his Residence; to which the House agreed.

11. To the Justice or Justices of the Supreme Court of this Colony for attending the Circuit Courts, and Courts of Oyer and Terminer, in the Manner prescribed by the said Act, the Sum of *Ten Pounds* for each Time; to which the House agreed.

12. To each of the Council for the Time being, for the Time they may attend at any Sitting of General Assembly within the Time, *Eight Shillings* per Day; on the Question, whether the Sum be *Eight Shillings* or *Six Shillings*? It was carried for *Eight Shillings* as follows, viz.

Yeas.	Yeas.	Nays.	Nays.
Mr. Crane,	Mr. Hewlings,	Mr. Combs,	Mr. Holme,
Mr. Garritse,	Mr. Hinchman,	Mr. Taylor,	Mr. Hand,
Mr. Fisher,	Mr. Gibbon,	Mr. Lawrence,	Mr. Eldridge,
Mr. Roy,	Mr. Mehelm,	Mr. Sykes,	Mr. Tucker,
Mr. Dey,	Mr. Sheppard,	who voted for <i>Six Shillings</i> .	
Mr. Demarest,	Mr. Elmer,		
Mr. Ford,	Mr. Barton.		
Mr. Kinsey,			

13. To *Richard Smith*, one of the Clerks of the House of Representatives, or any other Clerk, for his Attendance, the Sum of *Ten Shillings* per Day for the Time he hath or shall attend at any Sitting of General Assembly, during the Continuance of this Act; also the Sum of *Four-pence* per Sheet, reckoning Ninety Words to the Sheet, for entering the Minutes of any Sitting during the Continuance of this Act, fair in the Journals, and copying the Laws and Minutes for the Printer; and to the said *Richard Smith* the Sum of *Ten Pounds* for Pen, Ink and Paper, and hiring Clerks to forward the Business of this Session; and for a Journal for the Use of the General Assembly, *Thirty-three Shillings*; to which the House agreed.

14. To *Charles Pettit*, Esquire, Deputy-Secretary, or to the Deputy-Secretary for the Time being, for copying publick Laws to send Home to *England*, during the Continuance of this Act, *Four-pence* per Sheet, reckoning Ninety Words to the Sheet; and to the said *Charles Pettit*, for extraordinary Services, the Sum of *Twenty Pounds*; to which the House agreed.

15. To each of the Treasurers of this Colony, *Six-pence per Pound* for exchanging ragged and torn Bills of Credit of this Colony; to which the House agreed.

16. To *Isaac Collins*, or any other Printer hereafter to be appointed, for printing the Minutes of the House of Representatives of any Sitting during the Continuance of this Act, and for printing the Laws passed

at

at any Sitting as aforesaid, or any other printing, such Sums as *Hendrick Fisher, Stephen Crane, James Kinsley* and *Thomas Polgreen Hewlings*, Esquires, or any two of them, shall agree to be paid for the said Service; to which the House agreed.

17. To the Sergeant at Arms, for the Time being, who shall attend the Council, the Sum of *Three Shillings per Diem*; and to the Sergeant at Arms who shall attend the House of Representatives the Sum of *Three Shillings per Diem*; to which the House agreed.

18. To the Doorkeeper of the House of Representatives for the Time being, who shall attend the House in Manner aforesaid, the Sum of *Three Shillings and Six-pence per Diem*; to which the House agreed.

19. To the Speaker and every of the Members of the House of Representatives for the Time each of them shall attend at any Sitting of General Assembly during the Continuance of this Act, *Eight Shillings per Diem*; on the Question, Whether the Sum be *Eight Shillings* or *Six Shillings per Diem*? It was carried for *Eight Shillings* as follows, viz.

Yeas.	Yeas.	Nays.
Mr. Crane,	Mr. Hewlings,	Mr. Combs,
Mr. Garritse,	Mr. Hinchman,	Mr. Taylor,
Mr. Fisher,	Mr. Gibbon,	Mr. Lawrence,
Mr. Roy,	Mr. Nehelm,	Mr. Sykes,
Mr. Dey,	Mr. Sheppard,	Mr. Holme,
Mr. Demarest,	Mr. Elmer,	Mr. Hand,
Mr. Ford,	Mr. Barton.	Mr. Eldridge,
Mr. Kinsley,		Mr. Tucker,

who voted for *Six Shillings*.

Ordered,

That the Bill for Support of Government as reported and agreed to be engrossed.

Mr. Tucker reported, that Mr. Elmer and himself delivered the Message of the House to His Excellency, according to Order, who was pleased to say the House should hear from him.

The House adjourned till Nine o'Clock To-morrow Morning.

Thursday, November 30, 1775.

The House met.

The engrossed Bill, entitled, *An Act for the speedy Recovery of Debts from Six Pounds to Fifteen Pounds for small Fees*, was read and compared; on the Question,

Resolved nem. con.

That the same do pass.

Ordered,

That Mr. Tucker and Mr. Hand do carry the said Bill to the Council for Concurrence.

The House taking into Consideration the Inconvenience arising from
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requiring the Attendance of two of the Delegates to represent the Colony in the Continental Congress,

Resolved,

That any one of the three Delegates appointed to attend the Congress be, and such Delegate is hereby fully authorized to represent this Colony during the present Congress.

The Bill, entitled, *An Act to provide a more effectual Remedy against excessive Costs in the Recovery of Debts under Fifty and above Fifteen Pounds in this Colony, and for other Purposes therein mentioned*; was read the second Time, amended in the House, and, upon the Question, agreed to, and ordered to be engrossed.

A MESSAGE from the Council by Mr. *Hopkinson*, informing the House that the Council have passed the Bill, entitled, *A supplementary Act to the Act, entitled, An Act for striking One Hundred Thousand Pounds in Bills of Credit, and directing the Mode for sinking the same*; without any Amendment.

Mr. *Tucker* reported, that Mr. *Hand* and himself delivered the Bill with them intrusted to the Speaker in Council.

The Bill, entitled, *An Act to enable the Owners and Possessors of Meadows and Tide Marsh lying on both Sides of the south Branch of Pensawkin Creek, in the Counties of Burlington and Gloucester, to erect and maintain a Bank, Dam and other Waterworks across the said Creek, in order to prevent the Tide from overflowing the same*; was read the second Time, amended in the House, and, upon the Question, agreed to, and ordered to be engrossed.

The House adjourned till Three, P. M.

The House met.

The Petition from sundry Freeholders of *Burlington* County, praying that young Men who live with their Parents may be taxed, was read the second Time: It was moved that the Prayer of the Petition may be granted; whereupon the previous Question was demanded, Whether that Question shall now be put or not? It passed in the Negative as follows, *to wit,*

Yeas.	Nays.	Nays.
Mr. <i>Crane,</i>	Mr. <i>Combs,</i>	Mr. <i>Ford,</i>
Mr. <i>Kinfey,</i>	Mr. <i>Taylor,</i>	Mr. <i>Sykes,</i>
Mr. <i>Hewlings,</i>	Mr. <i>Lawrence,</i>	Mr. <i>Hinebman,</i>
Mr. <i>Paxson,</i>	Mr. <i>Garritse,</i>	Mr. <i>Holme,</i>
Mr. <i>Gibbon,</i>	Mr. <i>Fisher,</i>	Mr. <i>Hand,</i>
Mr. <i>Tucker,</i>	Mr. <i>Roy,</i>	Mr. <i>Eldridge,</i>
Mr. <i>Mehelm,</i>	Mr. <i>Dey,</i>	Mr. <i>Elmer,</i>
Mr. <i>Sheppard.</i>	Mr. <i>Demarest,</i>	Mr. <i>Barton.</i>

Ordered,

That the said Petition be referred to the next Session of Assembly.

The Petition from the Township of *Chesterfield*, in the County of *Burlington*, praying a Law to set free all the Slaves now in the Colony; was read the second Time;

Ordered,

Ordered,

That the same do lie on the Table.

The Committee, appointed to consider the Governor's Message at the last Session, informed the House that they were ready to make a Report, and, at the same Time, mentioned to the House, that the Report was necessarily drawn up in such a Manner as they apprehend might possibly occasion a longer Session than the House at this Time might incline to, and might be productive of some Controversy; whereupon the House taking the same into their Consideration, and also being of Opinion that any Thing which might interrupt the Harmony in this present critical Situation of the Province, ought not to be entered into at the present Session, unless something should occur during their Sitting which may, in their Opinion, render it necessary, do order that the Report be postponed.

A MESSAGE from the Council by Mr. *Lawrence*, acquainting the House that the Council have passed the Bill, entitled, *An Act to empower Isaac Haines to erect a Dam, Mills and other Waterworks, on the southermost Branch of Ancocas Creek, in the Township of Evelham, in the County of Burlington, without any Amendment.*

A Message from His Excellency by Mr. D. Secretary *Pettit*:

Mr. SPEAKER,

HIS Excellency is in the Council-Chamber ready to receive the Address of the House;

Whereupon Mr. Speaker left the Chair, and, with the House, went to wait upon the Governor; and, being returned, Mr. Speaker resumed the Chair, and reported, that the House had waited on the Governor and delivered their Address, in these Words:

To His Excellency WILLIAM FRANKLIN, Esquire, Captain-General, Governor and Commander in Chief in and over His Majesty's Colony of Nova-Cæfarea or New-Jersey, and Territories thereon depending in America, Chancellor and Vice-Admiral in the same, &c.

The Humble ADDRESS of the REPRESENTATIVES of the said Colony in General Assembly convened.

May it please Your Excellency,

WE, His Majesty's loyal and dutiful Subjects, the Representatives of the Colony of *New-Jersey*, in General Assembly convened, have considered your Excellency's Speech at the Opening of the present Session.

We sincerely lament the unhappy Situation of publick Affairs; and we regret that though we have presented a dutiful Petition to His Majesty, yet we have little Prospect of his favourable Interposition for the Removal of those Grievances under which we suffer in common with his other *American* Subjects.

There is Nothing we desire with greater Anxiety than a Reconciliation with our Parent State, on Constitutional Principles; but if the Resolution of the House of Commons of the 20th of *February* could, without departing from the Duty we owe to our Constituents, have been
accepted

accepted or made the Basis of a Negotiation which would probably have led to any Plan of Accommodation, we have been and still are greatly mistaken.

We are surprized to hear that any Persons could have advised your Excellency to have sought an Asylum on Board of one of His Majesty's Ships: We cannot imagine that your Excellency could have had any just Reason to fear any Insult or improper Treatment from the People of the Colony; and if your Retreat would necessarily be attributed to either the Effect or well-grounded Apprehensions of Violence, and be productive of Mischiefs to the Inhabitants, however such Advisers may deserve to be esteemed your "best Friends," we cannot suppose them to be really so to the Colony.

Your Excellency's Safety, or that of any of the Officers of Government, we apprehend to be in no Danger. We place our own Safety in that Protection which the Laws of our Country and the executive Powers of the Government afford to all the King's Subjects. It is the only Asylum which we have to fly to; and we make no Doubt but that it will be, as it hitherto hath been, found fully equal to the Purpose both of securing your Excellency and others: And we hope to find that the Officers of Government will conduct themselves so prudently as not to invite any ill-Usage; and that they will not make any supposed "Infatuation or Disorder" of the Times a Pretence to leave the Province, and thereby endeavour to subject the Inhabitants to any Calamities.

We know of no Sentiments of Independency that are by Men of any Consequence openly avowed; nor do we approve of any Essays tending to encourage such a Measure: We have already expressed our Detestation of such Opinions, and we have so frequently and fully declared our Sentiments on this Subject, and in particular in our Petition to the King at the last Session of Assembly, that we should have thought ourselves, as at present we really deserve to be, exempt from all Suspicion of this Nature.

We have already resolved to support His Majesty's Government, and look upon it to be our Duty to Use our Influence to promote Peace, Order and good Government.

By Order of the House,
CORTLAND SKINNER, *Speaker.*

House of Assembly,
Nov. 29, 1775.

To which His Excellency was pleased to make the following Answer:

GENTLEMEN,

I RETURN you my Thanks for your Resolution to support His Majesty's Government, and cannot but approve your Determination to promote Peace and good Order.

I shall avoid, for the Reasons I gave you in my Speech, any Remarks on your Sentiments respecting the present unhappy Situation of publick Affairs, and shall transmit to His Majesty your Opinion of the Resolution of the House of Commons.—Thus much, however, I would only observe that if you really thought, or still think, that the making that Resolution the Basis of a Negotiation would not have led to some Plan

Plan of Accommodation, on Terms that *Americans* have heretofore solemnly and repeatedly declared would give them full Content, then you have been, and still are greatly mistaken.

Your Surprize that any Persons could advise me to seek an Asylum, when so many Governors and Crown Officers had been before compelled to do the like, is as extraordinary as your Supposition that those Persons must therefore be no Friends to the Colony.

It gives me Pleasure, however, to find that you *make no Doubt* but that the *Laws of our Country*, and the *Executive Powers of the Government* will afford *Safety* and prove an *Asylum* to *ALL the King's Subjects*. On the Strength of this Assurance, His Majesty's Officers, who have now the Misfortune of being confined in *Trenton* by some supposed unlawful Authority, cannot hesitate to apply for that legal Remedy an *Habeas Corpus*, nor any of His Majesty's Justices of the Supreme Court have the least scruple to grant it, nor ought any one to doubt "but that it will (as you say) be found *fully equal* to the Purpose."

Your Hope that the Officers of Government will conduct themselves *prudently*, will, I trust, be greatly gratified, at least by some of them, if a manly conscientious Discharge of their Duty to their King and Country, as far as may be in their Power, is consistent with your Ideas of *Prudence*.—As they have not even made the *real* Disorders of the Times a Pretence for leaving the Province, it seems rather unkind to intimate any Suspicion that they would do it on a "*supposed* Disorder of the Times." Equally unjustifiable is it to insinuate that any of them would be so absurd as to "*invite ill Usage*," or so wicked as to "*ENDEAVOUR to subject the Inhabitants to any Calamities*." But such Suspicions and such Language must, I suppose, be attributed to the *FASHION of the Times*!

In speaking of the Sentiments of Independency *openly* avowed by some Men of *present* Consequence, I had not the most distant Thought, that you would consider the Remark as at all meant for or applicable to your House. If any Faith is to be put (as you say) in your frequent and full Declarations of your Sentiments on this Subject, you certainly deserve to be exempt from all Suspicions of that Nature. I even intimated in my Speech that you must entertain "an Abhorrence of such Design." Your present Disapprobation of the Essays tending to encourage that Measure, gives me great Satisfaction, and I sincerely wish that both you and I may ere long have the Happiness to see those, who either *openly* or *privately* avow Sentiments of Independency, Men of *no* Consequence.

On Motion made, that this House do send a Message to His Excellency requesting him to dissolve the present Assembly at the End of the present Session, and give the People another Choice of Representatives: The previous Question was demanded, Whether the said Question shall now be put or not? It passed as follows, *viz.*

Yeas.	Yeas.	Nays.	Nays.
Mr. Lawrence,	Mr. Hand,	Mr. Combs,	Mr. Dey,
Mr. Kinsey,	Mr. Eldridge,	Mr. Taylor,	Mr. Demarest,
Mr. Paxson,	Mr. Tucker,	Mr. Crane,	Mr. Ford,
Mr. Hinchman,	Mr. Mehelm,	Mr. Garritse,	Mr. Hewlings,
Mr. Gibbon,	Mr. Sheppard,	Mr. Fisher,	Mr. Sykes,
Mr. Holme,	Mr. Elmer.	Mr. Roy,	Mr. Barton.

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The Voices being equal, Mr. Speaker gave his Vote in the Negative.

The House adjourned till Nine o'Clock To-morrow Morning.

Friday, December 1, 1775.

The House met.

The Engrossed Bill, entitled, *An Act to provide a more effectual Remedy against excessive Costs in the Recovery of Debts under Fifty and above Fifteen Pounds in this Colony, and for other Purposes therein mentioned*; was read and compared; on the Question,

Resolved,

That the same do pass;

Ordered,

That Mr. *Hinchman* and Mr. *Eldridge* do carry the said Bill to the Council for Concurrence.

Mr. *Hinchman* reported, that Mr. *Eldridge* and himself delivered the Bill with them intrusted to the Speaker in Council.

The Engrossed Bill, entitled, *An Act to enable the Owners and Possessors of Meadows and Tide Marsh lying on both Sides of the south Branch of Pensawkin Creek, in the Counties of Burlington and Gloucester, to erect and maintain a Bank, Dam and other Waterworks across the said Creek, in order to prevent the Tide from overflowing the same*; was read and compared; on the Question,

Resolved,

That the same do pass;

Ordered,

That Mr. *Kinsey* and Mr. *Tucker* do carry the said Bill to the Council for Concurrence.

Mr. *Kinsey*, from the Committee appointed to bring in an Answer to His Excellency's Message of the twenty-second of November last, brought in a Draught accordingly; which was read, and ordered a second Reading.

Mr. *Fisher*, from the Committee appointed to prepare and bring in the Draught of a Petition to the King, brought in the same accordingly; which was read, and ordered a second Reading.

The House adjourned till Three, P. M.

The House met.

A Message from the Council by Mr. *Hopkinson* in these Words, viz.

Council-Chamber, December 1, 1775.

THIS House having under Consideration a Bill, entitled, *An Act to provide a more effectual Remedy against excessive Costs in the Recovery of Debts above Six Pounds, and for other Purposes therein mentioned*; which, in their Apprehension, will more fully answer the good Purposes intended

intended by the two Bills, entitled, *An Act for the speedy Recovery of Debts from Six Pounds to Fifteen Pounds for small Fees*; and *An Act to provide a more effectual Remedy against excessive Costs in the Recovery of Debts under Fifty Pounds, &c.* are desirous to have a Conference with the House of Assembly on the Subject of the said Bills;

Ordered,

That Mr. *Stockton*, Mr. *Coxe* and Mr. *Lawrence*, or any two of them, be a Committee to join a Committee of the House of Assembly in a free Conference on the Subject of the said Bills; that Mr. *Hopkinson* do acquaint the House of Assembly therewith, and desire them to appoint a Committee for that Purpose; and that the said Conference be held in the Council-Chamber at four o'Clock this Afternoon, if agreeable to the House of Assembly.

By Order of the House,

CHA. PETTIT, D. Clerk.

Ordered,

That Mr. *Fisher*, Mr. *Hinchman*, Mr. *Paxson*, Mr. *Tucker*, Mr. *Ford*, Mr. *Gibbon* and Mr. *Roy*, be a Committee to confer with the Committee of the Council on the Subject Matter mentioned in the above Message, and make Report to the House, and that Mr. Speaker be desired to assist the Committee;

Ordered,

That Mr. *Combs* and Mr. *Hewlings* do acquaint the Council therewith. Mr. *Combs* reported, that Mr. *Hewlings* and himself delivered the Message with them intrusted to the Speaker in Council.

A Petition was presented to the House from the Honourable *Daniel Coxe*, Esquire, President of the Board of the Western Proprietors of this Province, requesting Leave, in Behalf of himself and the Board of Western Proprietors, to bring in a Bill, at the next Session of Assembly, for appointing Commissioners to settle the Disputes of the said Western Proprietors with the Eastern Proprietors, and finally to settle the Line of Division between the said Proprietors, and suggesting that the Eastern Proprietors do acquiesce in this Mode of accommodating the Differences, and agree to join in the Nomination of Commissioners; which Petition being read,

Ordered,

That the Petitioner have Leave to bring in a Bill at next Session, according to the Prayer of the Petition.

The House adjourned till Five o'Clock.

The House met.

Mr. *Fisher*, from the Committee appointed to confer with a Committee of the Council, reported, that they had met the said Committee of the Council in free Conference upon the Subject Matter of the Message, and that, after some Time spent in Debate, the Committee of the Council informed your Committee that the Council would To-morrow send down a Bill, which they hoped would be acceptable to this House.

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The Engrossed Bill, entitled, *An Act for the Support of Government of His Majesty's Colony of New-Jersey, to commence the first Day of October One Thousand Seven Hundred and Seventy-five, and to end the first Day of October One Thousand Seven Hundred and Seventy-six, and to discharge the publick Debts and contingent Charges thereof*; was read and compared; on the Question,

Resolved,

That the same do pass;

Ordered,

That Mr. *Fisher*, Mr. *Crane*, Mr. *Ford*, Mr. *Paxson*, Mr. *Combs*, Mr. *Sykes*, Mr. *Elmer* and Mr. *Tucker*, do carry the said Bill to the Council for Concurrence.

The House adjourned till Nine o'Clock To-morrow Morning.

Saturday, December 2, 1775.

The House met.

Mr. *Fisher* reported, that the other Gentlemen and himself delivered the Support Bill, with them intrusted, to the Speaker in Council.

On Motion made, that proper Persons may be appointed to take Care of, rent out, and, from the Rents, to keep in good Repair the several Barracks and their Furniture in this Colony; the Question was put thereon, and it passed in the Affirmative;

Ordered,

That Mr. *Hinchman*, Mr. *Tucker* and Mr. *Gibbon* be a Committee to prepare and bring in a Bill pursuant to the above Resolution.

A Message from the Council by Mr. *Stockton*.

Council-Chamber, Dec. 2, 1775.

Ordered,

THAT Mr. *Stockton* do carry the Bill, entitled, *An Act for the more speedy Recovery of Debts from Six Pounds to Fifteen Pounds, &c.* with the Amendments thereto annexed, to the House of Assembly, and desire their Concurrence in the said Amendments.

By Order of the House,

CHA. PETTIT, D. Clerk.

And the said Bill being read, with the Amendments in their Places,

Ordered,

That the said Bill be re-engrossed, with the Council's Amendments.

Mr. *Kinsey* reported, that Mr. *Tucker* and himself delivered the Bill with them intrusted to the Speaker in Council.

Mr. *Hinchman*, from the Committee appointed for that Purpose, brought in a Bill, entitled, *An Act to empower the Persons therein named to take Care of, rent out, and, from the Rents, to keep in good Repair the several Barracks and their Furniture in this Colony*; which was read, and ordered a second Reading.

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A Message from the Council by Mr. *Stockton*.

Council-Chamber, Dec. 2, 1775.

Ordered,

THAT Mr. *Stockton* do carry the Bill, entitled, *An Act to provide a more effectual Remedy against excessive Costs in the Recovery of Debts above Ten Pounds, and for other Purposes therein mentioned*, to the House of Assembly, and desire their Concurrence in the said Bill.

By Order of the House,

CHA. PETTIT, *D. Clerk.*

And the said Bill was read, and ordered to be read a second Time.

Mr. Speaker laid before the House a Letter from *Isaac De Cow*, Esq. late Sheriff of the County of *Hunterdon*, inclosing a Copy of the said Sheriff's Advertisements, Conditions and Amount of Sales of Lord *Stirling's* Lands in the County of *Hunterdon*, with a Copy of Mr. Speaker's Letter to the said late Sheriff, which were read;

Ordered,

That the Consideration thereof be referred to the Afternoon.

The House adjourned till Three, P. M.

The House met.

The Bill, entitled, *An Act to empower the Persons therein named to take Care of, rent out, and, from the Rents, to keep in good Repair the several Barracks and their Furniture in this Colony*; was read the second Time, agreed to, and ordered to be engrossed.

Mr. *Roy* had Leave of Absence till Monday Morning next.

Mr. *Barton* had Leave of Absence for the Remainder of the Session, upon extraordinary Occasions.

The House took into Consideration the Papers laid before the House this Morning by Mr. Speaker, relative to the Sale of Lord *Stirling's* Estate in *Hunterdon*; and, after some Time spent in Debate thereon, the further Consideration thereof was adjourned till Monday next.

The House adjourned till Ten o'Clock on Monday Morning next.

Monday, December 4, 1775.

The House met.

The Bill Re-engrossed, with the Council's Amendments, entitled, *An Act for the speedy Recovery of Debts from Six Pounds to Ten Pounds*; was read and compared;

Ordered,

That Mr. Speaker do sign the same;

Ordered,

That Mr. *Fisher* and Mr. *Paxson* do carry the said Bill to the Council.

The Engrossed Bill, entitled, *An Act to empower the Persons therein named to take Care of, rent out, and, from the Rents, to keep in good Repair the several Barracks and their Furniture in this Colony*; was read and compared; on the Question,

Resolved,

That the same do pass;

Yeas.	Yeas.	Nays.	Nays.
Mr. Combs,	Mr. Ford,	Mr. Lawrence,	Mr. Holme,
Mr. Garritse,	Mr. Kinsey,	Mr. Demarest,	Mr. Hand,
Mr. Fisher,	Mr. Hinchman,	Mr. Hewlings,	Mr. Eldridge,
Mr. Roy,	Mr. Mehelm,	Mr. Paxson,	Mr. Sheppard.
Mr. Dey,	Mr. Elmer.	Mr. Gibbon,	

Ordered,

That Mr. Kinsey and Mr. Elmer do carry the said Bill to the Council for Concurrence.

Mr. Fisher reported, that Mr. Paxson and himself delivered the Bill with them intrusted to the Speaker in Council.

A MESSAGE from the Council by Mr. Skinner, acquainting the House that the Council have passed the Bill, entitled, *An Act to enable the Owners and Possessors of Meadows and Tide Marsh on both Sides of the South Branch of Pensawkin Creek, &c.* without any Amendment.

Mr. Kinsey reported, that Mr. Elmer and himself delivered the Bill with them intrusted to the Speaker in Council.

The Bill brought down from the Council, entitled, *An Act to provide a more effectual Remedy against excessive Costs in the Recovery of Debts above Ten Pounds, and for other Purposes therein mentioned*; was read the second Time, and several Amendments being made thereto by the House; on the Question,

Resolved,

That the same, as amended, do pass;

Ordered,

That Mr. Lawrence and Mr. Ford do carry back to the Council the said Bill and Amendments, and desire the Concurrence of the Council to the said Amendments.

The House adjourned till Three, P. M.

The House met.

Mr. Lawrence reported, that Mr. Ford and himself delivered the Bill and Amendments with them intrusted to the Speaker in Council.

The House resumed the Consideration of the Papers laid before this House, relative to a Sale of Lands belonging to Lord Stirling, by the late Sheriff of Hunterdon.

Ordered,

That Mr. Fisher, Mr. Tucker, Mr. Mehelm, Mr. Roy and Mr. Dunham be, and they, or any three of them, are hereby appointed a Committee to

to examine into the said Sale, collect Evidence relating thereto, and report to this House at the next Session; and in the Mean-time to give Directions for the further Prosecution of the Suit against said Lord Stirling, if necessary.

The Draught of a Message to His Excellency, in Answer to his Message of the twenty-second of November last, was read the second Time, and committed to Mr. Fisher, Mr. Sheppard, Mr. Gibbon and Mr. Lawrence.

The Petition to the King was read the second Time, and committed to a Committee of the whole House.

A Message from the Council by Mr. Parker, in these Words:

Council-Chamber, Dec. 4, 1775.

Ordered,

THAT Mr. Parker do carry to the House of Assembly the Bill, entitled, *An Act to provide a more effectual Remedy against excessive Costs in the Recovery of Debts above Ten Pounds, &c.* together with the Amendments thereto made in the House of Assembly, and acquaint them that this House have agreed to all the said Amendments except the last, and in that Part adhere to the Bill.

By Order of the House,

CHA. PETTIT, D. Clerk.

Whereupon the Bill and Amendments being read, the House agrees to recede from the last Amendment.

Ordered,

That the said Bill be re-engrossed with the Amendments agreed upon by the Council and this House.

The House adjourned till Nine o'Clock To-morrow Morning.

Tuesday, December 5, 1775.

The House met.

A MESSAGE from the Council by Mr. Parker, informing the House that the Council have passed the Bill, entitled, *An Act for the Support of Government, &c.*

A MESSAGE from the Council by Mr. Hopkinson, acquainting the House that the Council have passed the Bill, entitled, *A supplementary Act to the Act, entitled, An Act appointing Commissioners for finally settling and determining the several Rights, Titles and Claims to the Common Lands in the Township of Bergen, &c.* without any Amendment.

The Bill Re-engrossed, with the Amendments agreed upon by the Council and this House, entitled, *An Act to provide a more effectual Remedy against excessive Costs in the Recovery of Debts above Ten Pounds, and for other Purposes therein mentioned;* was read and compared;

Ordered,

That Mr. Speaker do sign the same;

Ordered,

Ordered,

That Mr. *Combs* and Mr. *Eldridge* do carry the said Bill back to the Council.

The House adjourned till Three, *P. M.*

The House met.

Mr. *Combs* reported, that Mr. *Eldridge* and himself delivered the Bill with them intrusted to the Speaker in Council.

Mr. *Fisher*, from the Committee to whom the Draught of a Message to His Excellency was committed, reported the same, which being read and amended in the House,

Ordered,

That the said Message as amended be engrossed.

The House, according to Order, resolved itself into a Committee of the whole House on the Petition to the King; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, by Leave of the House, reported, that the Committee had spent some Time in Debate upon the Subject Matter of the Petition referred to them, and came to the following Resolution:

That as a Petition is already before His Majesty, to which the House has received no Answer, and hoping that it will effect the good Purposes intended, in the Opinion of this Committee the present Petition ought to be referred; and that the Committee of Correspondence do instruct the Agent to solicit an Answer to the said former Petition: To which the House unanimously agreed.

The House adjourned till Nine o'Clock To-morrow Morning.

Wednesday, December 6, 1775.

The House met.

The Engrossed Message to His Excellency was read and compared;

Ordered,

That the same be sent accordingly;

And the said Message is as follows, *viz.*

House of Assembly, Dec. 6, 1775.

Ordered,

THAT Mr. *Hinchman* and Mr. *Mehelm* do wait on His Excellency, and, in Answer to His Message of the twenty-first of *November*, inform him, that this House have taken the same into their serious Consideration; and although they entertain the most grateful Sense of the Attention that has been shewn to the Wishes of the Colony in the Allowance of the Loan-Act, and of His Majesty's gracious Inclinations to give "every Indulgence that can consist with the true Principles of Commerce and the Constitution;" and are sincerely disposed to grant His

His Majesty's Requisitions, as far as the Circumstances of the Colony will allow; yet at this Time the House cannot think it prudent to go into any Increase of the Salaries of the Officers of Government; nor do they apprehend that it will be beneficial for his Government over us to settle them longer than for the usual Time; or expedient to erect Buildings, at present, better to accommodate the Branches of the Legislature.

That the House Hopes, when it is considered that on His Excellency's Arrival to this Government the Salary was raised from *One Thousand Pounds* to *One Thousand Two Hundred Pounds per Annum*, which has been continued ever since; that *Sixty Pounds* a Year has constantly been granted to provide a House for His Excellency's Residence; that the Salaries of the Justices of the Supreme Court have been lately raised from *Fifty* to *One Hundred and Fifty Pounds per Annum*; that the other Crown Officers either have Salaries given to them, or Fees equal to the Importance of their Service; that there are Places provided for the Legislature to meet and do the publick Business at *Perth-Amboy*, and that although such Provision is not made at *Burlington*, yet no considerable Inconvenience has attended it; when His Excellency considers these Matters he will, we hope, be of Opinion with us, that the House has shewn a Disposition to make such suitable Provision for the Support of Government as, from Time to Time, was in their Power, which Nothing has retarded more than the Inconvenience of two Seats of Government, a Circumstance they sincerely wish was removed; but the House assures His Excellency that, at a future Day, when this Inconvenience shall be remedied, and the unnatural Controversy now subsisting is happily settled, they will shew their Readiness to comply with every just Requisition, and demonstrate that they ever mean their Actions shall correspond with their Professions.

By Order of the House,

RICHARD SMITH, Clerk.

Ordered,

That Mr. Kinsey and Mr. Eldridge do wait on the Council, and desire to know what Progress they have made in the Bill, entitled, *A supplementary Act to the Act, entitled, An Act for the better enabling of Creditors to recover their just Debts from Persons who abscond themselves*; and also in the Bill, entitled, *An Act to empower the Persons therein named to take Care of, rent out, and, from the Rents, to keep in good Repair the several Barracks and their Furniture in this Colony.*

Ordered also,

That the same Gentlemen do inquire whether the Council have any Thing further before them? If not, that this House proposes to apply to His Excellency for a Dismission.

Mr. Hinchman reported, that Mr. Mehelm and himself delivered the Message of the House with them intrusted to His Excellency, who was pleased to say he would take the same into Consideration.

Mr. Kinsey reported, that Mr. Eldridge and himself delivered the Messages of the House with them intrusted to the Speaker in Council.

A Message from the Council by Mr. Hopkinson.

K

Council-

Council-Chamber, Dec. 6; 1775.

Ordered,

THAT Mr. *Hopkinson* do acquaint the House of Assembly, in Answer to their Message of this Morning, that the Bill, entitled, *A supplementary Act to an Act, entitled, An Act for the better enabling of Creditors to recover their just Debts from Persons who abscond themselves*; and the Bill, entitled, *An Act to empower the Persons therein named to take Care of, rent out, and, from the Rents, to keep in good Repair the several Barracks and their Furniture in this Colony*; have been severally rejected by this House.

By Order of the House,

CHA. PETTIT, D. Clerk.

Mr. *Hopkinson* also informed the House that the Council have Nothing further before them.

Ordered,

That Mr. *Fisher* and Mr. *Paxson* do wait upon the Governor, and inform him that this House have gone through the Business before them, and are desirous of a Dismission.

Mr. *Fisher* reported, that Mr. *Paxson* and himself delivered the Message of the House to His Excellency, according to Order, who was pleased to say the House should hear from him in the Afternoon.

The House adjourned till Three, P. M.

The House met.

A Message from His Excellency by Mr. D. Secretary *Pettit*.

MR. SPEAKER,

HIS Excellency is in the Council-Chamber, and requires the immediate Attendance of the House:

Whereupon Mr. Speaker left the Chair, and, with the House, went to wait upon the Governor, who was pleased to give his Assent to the following Bills, Enacting the same, viz.

1. *An Act for the Support of Government of His Majesty's Colony of New-Jersey, to commence the first Day of October One Thousand Seven Hundred and Seventy-five, and to end the first Day of October One Thousand Seven Hundred and Seventy-six; and to discharge the publick Debts and contingent Charges thereof.*

2. *A supplementary Act to the Act, entitled, An Act for striking One Hundred Thousand Pounds in Bills of Credit, and directing the Mode for sinking the same.*

3. *An Act for the speedy Recovery of Debts from Six Pounds to Ten Pounds.*

4. *An Act to provide a more effectual Remedy against excessive Costs in the Recovery of Debts above Ten Pounds, and for other Purposes therein mentioned.*

5. *An Act to authorize the Board of Justices and Freeholders of the several Counties in the Colony of New-Jersey, to defray the Expence of taking Lists of the Inhabitants.*

6. *An*

6. *An Act to prevent Rams from running at Large at certain Seasons of the Year.*

7. *An Act to empower Isaac Haines to erect a Dam, Mills and other Waterworks on the southermost Branch of Ancocas Creek, in the Township of Evelham, in the County of Burlington.*

8. *An Act to enable the Owners and Possessors of Meadows and Tide Marsh, lying on both Sides of the south Branch of Pensawkin Creek, in the Counties of Burlington and Gloucester, to erect and maintain a Bank, Dam and other Waterworks across the said Creek, in order to prevent the Tide from overflowing the same.*

And then His Excellency was pleased to prorogue the General Assembly till *Wednesday* the third Day of *January* next, then to meet at *Perth-Amboy*.

BY VIRTUE of an ORDER of the HOUSE of REPRESENTATIVES, I do appoint *Isaac Collins* to print these Votes.

CORTLAND SKINNER, *Speaker.*



A Table of the sittings of Assembly, from the surrender in the year 1702. to
the Revolution in 1776. with the names of the Governors, and Speakers.

N ^o	Time of sitting	Assembly	Govs	Governors	Speakers
1. a.	1703. 10 November to 13 December	1	1	Lord Cornbury	Thomas Gardiner
1. b.	1704. 7 September to 28 Sep.	—	2	—	John Ingham
2. a.	1704. 13 November to 12 Decemb.	2	1	—	—
2. b.	1705. 15 October to 8 Novemb.	—	2	—	—
2. c.	1706. 25 October to	—	3	—	—
2. d.	1707. 5 April to 16 May	3	1	—	Samuel Jennings
2. e.	— 16 October to 31 October	—	2	—	—
2. f.	1708. 5 May to 12 May	—	3	—	Thomas Gordon
3.	1708-9. 3 March to 4 April	4	1	Lord Lovelace	—
4.	1709. 25 May to 30 June	—	2	Richard Ingham	—

5.	1709-10. 21 November to 31 Jan.	5	1		John May.
6.	1710-11. 6 December to 10 Dec.	6	1	Col. Robert Hunter	
7.	1711. 6 July to 16 July	—	2		
8.	1713-14. 7 December to 17 March	—	3		
9. ^a	1716. 4 April to 28 April	7	1		Daniel Coxey
9. ^b	— 21 May to 1 June	—	2		John Hinfey
10. ^a	— 27 November to 26 January	—	3		
10. ^b	1718. 8 April to 12 April	—	4		
11.	1718-19. 13 January to 28 March	—	5		
12.	1720-21. 27 Feb. to 1 May	8	6	William Burnet	John Johnston
13.	1721-2. 7 March to 5 May	—	1		William Dent
14.	1723. 27 September to 30 Nov.	—	2		John Johnston
15.	1725. 25 May to 23 August	—	3		
15. ^a	1727-8. 9 December to 10 February	9	1		
15. ^b	1728. 12 December to 9 January	—	2	John Montgomery	
16.	1730. 7 May to 8 July	10	1		John Hinfey
17.	1733. 26 April to 17 August	—	2	William Coffey	

No.	Time of sitting	Appt. in the	Sittings	Governors	Speakers
18.	1738. 27 October to 15 March	11	1	Lewis Morris	Joseph Bonnell.
19.	1740. 10 April to 31 July	12	1		Andrew Johnston
20.	1741. 2 October to 4 Novem.	—	2		
21.	1742. 16 October to 25 Nov.	—	3		
22.	1743. 10 October to 10 Dec.	13	1		
23. ^a	1744. 22 June to 3 July	—	2		
23. ^b	— 18 August to 8 Decem.	14	1		Samuel Nevill
24. ^a	1745. 4 April to 24 August	15	1		
24. ^b	— 24. Septem. to 18 Octob.	—	2		
25.	1746. 26 February to 8 May	16	1		Robert Lawrence
26.	— 9 May to 28 June	—	2	John Hamillston, pref.	
27.	— 9 October to 1 November	—	3		
28. ^a	1747. 4 May to 9 May	—	4		

28.e	— 20 August to 25 August	—	5	Jonathan Fletcher	Robert Lawrence
29.	— 17 November to 18 Feb.	—	6		Samuel Webb
30.a.	1748. 6 July to 8 July	—	7		
30.b.	— 21 October to 16 Decem.	—	8		
31.a.	1748-9. 20 February to 28 March	17	1		
31.b.	1749. 25 Septem. to 20 Octob.	—	2		
32.a.	1749-50. 13 February to 27 Feb.	—	3		
32.b.	1750. 20 Septem. to 8 Octob.	—	4		
33.	1750-1. 24 January to 22 Feb.	—	5		
34.	1751. 20 May to 7 June	18	1		Charles Read
35.	— 10. September to 23 Oct.	—	2		
36.a.	1751-2. 25 January to 12 Febru.	—	3		
36.b.	1752. 14 December to 22 Dec.	—	4		
37.	1753. 16 May to 8 June	—	5		
38.a.	1754. 17 April to 29 April	—	6		
38.b.	— 3 June to 21 June	—	7		

N ^o	Time of sitting	Attendance	Rollings	Governors	Speakers
39.	1754. 1 October to 21 October	19	1	Jonathan Belcher	Robert Lawrence
40.	1755. 24 February to 3 March	—	2	—	—
41.	— 7 April to 22 April	—	3	—	—
42.	— 23 April to 26 April	—	4	—	—
43.a.	— 31 July to 20 August	—	5	—	—
43.b.	— 12 November to 14 November	—	6	—	—
44.	— 15 December to 24 December	—	7	—	—
45.	1756. 9 March to 16 March	—	8	—	—
46.a.	— 20 May to 2 June	—	9	—	—
46.b.	— 22 July to 27 July	—	10	—	—
46.c.	— 12 October to 15 October	—	11	—	—
47.	— 17 December to 24 December	—	12	—	—
48.	1757. 15 March to 31 March	—	13	—	—
49.a.	— 24 May to 3 June	—	14	—	—
49.b.	— 19 August to 13 September	—	15	Jonathan Belcher John Readings, president,	—

50.	— 10 October to 22 October	16		
51.	1758. 23 March to 18 April.	17		
52.	— 25 July to 12 August	18		Francis Bernard
53.	1759. 8 March to 17 March	19		Samuel Sewall
54.	1760. 11 March to 26 March	20		
55.	— 29 October to 5 Decem ^r .	21		Thomas Boone
56.	1761. 27 March to 7 April	20	1	
57.	— 4 July to 8 July	—	2	
58.	— 30 November to 12 Dec ^r .	—	3	Josiah Hardy
59.	1762. 3 March to 10 March	—	4	
60.	— 26 April to 28 April	—	5	
61.	— 14 September to 25 Sep ^r .	—	6	
62.	1763. 25 May to 3 June	—	7	William Franklin
63.	— 15 Novem ^r . to 7 December	—	8	
64.	1764. 14 February to 23 Feb.	—	9-10	
65.a.	1765. 21 May to 21 June	—	11	
				Robert Ogden

N ^o	Time of fittings	Officers	Witness	Governors	Speakers
65.e	1765. 26 November to 30 Nov.	20	12	William Franklin	Cortland Skinner
66.	1766. 11 June to 28 June	—	13	—	—
67.	1767. 9 June to 24 June	—	14	—	—
68.	1768. 12 April to 10 May	—	15	—	—
69.	1769. 10 October to 6 Decm.	21	1	—	—
70.	1770. 14 March to 27 March	—	2	—	—
71.	— 26 Septem. to 27 Octobr	—	3	—	Cortland Skinner (Stephen Crane)
72.a	1771. 17 April to 29 April	—	4	—	—
72.b.	— 28 May to 1 June	—	5	—	—
72.c.	— 20 November to 21 Dec.	—	6	—	—
73.	1772. 19 August to 26 Sept.	22	1	—	Cortland Skinner
74.	1773. 10 Novem. to 11 March	—	2	—	—
75.a.	1775. 11 January to 13 Feb.	—	3	—	—
75.b.	— 15 May to 20 May	—	4	—	—
76.	— 15 November to 6 December	—	5	—	—

C.E. N.B. At the fittings that are underlined, no Laws were passed

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A List of the Members of Assembly
1702, to the Revolution in 1776.

	1. st Assembly 1703	2. ^d Assembly 1704.
Eastern Division	<p>Thomas Gordon Miles Foster Obadiah Bowne Jedediah Allen Michael Howden Peter Van Iste John Reid John Manifon Cornelius Turnison Richard Hartthorne Richard Jounley</p>	<p>John Bowne Richard Hartthorne Richard Valter Obadiah Bowne Anthony Woodward John Turnison John Lawrence Jasper Crane Peter Van Iste Thomas Gordon John Barclay John Royce</p>
Western Division	<p>Peter Bretwell Thomas Gardner Thomas Lambert William Widdle William Stevenfon Nestore Lippencott John Hay John Muffjinn. Joseph Cooper William Hall John Mason John Smith</p>	<p>Nestore Lippencott John Muff John Hay John Smith William Hall John Mason Thomas Bryan Robert Wheeler Peter Bretwell. S. Thomas Lambert Thomas Gardner Joshua Wright</p>

of New-Jersey, from the Surrender in the year

	3. ^d Assembly 1707.	4. th Assembly 1708-9.
Eastern Division	<p>John Harrison Lewis Morris Elipha Barker Thomas Harmer Jaffer Crane Daniel Price John Bourne William Laurence William Morris Inock Mackelson John Noyce Thomas Gordon S.</p>	<p>Thomas Gordon S. Thomas Harmer Elipha Barker John Noyce John Harrison Benjamin Lyon Gerphom Mott Elipha Laurence Peter Sommers John Hinsey</p>
Western Division	<p>Peter Canfon William Hall, of Salem. Richard Johnson John Thomson Bartholomew Wyatt John Wills Thomas Bryant Samuel Jennings S. Thomas Gardner John Hay Philip Lawle</p>	<p>Thomas Gardner Thomas Napier Hugh Sharp Nathaniel Crips John Hay John Haigh Richard Johnson Nathaniel Breeding Hugh Middleton John Lewis — Eldridge</p>

List of the Members of Assembly

Counties & Cities.	5 th Assembly, 1709.	6 th Assembly, 1710.	7 th Assembly 1716
City of B. Amboy.	Thomas Gordon John Hanifon	John Johnston John Neide	Thomas Fanner John Hanifon
Middlesex	John Johnston George Duncan	Thomas Fanner Adam Wade	John Pinney, S. Charles Morgan
Monmouth	Elipha Lawrence Gershom Stott	Gershom Stott William Lawrence	William Lawrence Elipha Lawrence
Essex	John Treat x Price	John Treat Joseph Marsh	Josiah Ogden Joseph Bonnell.
Somerset	Thomas Fitz Randolph x Dennis	Cornelius Longfield John Hanifon	Thomas Wall Benjamin Clark
Bergen	Lourence V. Buskirk	Andreas V. Buskirk William Sanford	+ Henry Brookholt + Daniel Ahernman
City of Burlington	Robert Wheeler William Busfil	Robert Wheeler Isaac DeLors	Samuel Smith Daniel Smith
County of Burlington	Thomas Lambert Samuel Smith	Thomas Lambert Joshua Humphrys	Jacob Doughty Matthew Champion
Gloucester	John Hay, S. John Haigh	John Hay, S. John Haigh	+ Daniel Cox, S. + Richard Bull
Town of Salem	x John Lewis x Barker	Hugh Middleton John Mafon	Isaac Sharp + Henry Joyce
County of Salem	Shepherd Isaac Sharp	Isaac Sharp Barthol. Wyat	+ William Wall + William Cless
Cape May	Jacob Spicer Peter Bretwell	Jacob Spicer Peter Bretwell	+ Jacob Spicer + Jacob Muling
Montford			

x It does not appear by the Minutes to which County these Members belonged.

+ Expelled the House, and declared incapable of being re-elected.

± Refused to be incapable of sitting.

Continued.

8 th Assembly, 1721.	9 th Assembly, 1727.	10 th Assembly, 1730.	11 th Assembly, 1738.
John Johnson ^A Samuel Leonard	John Johnston ^A Andrew Johnston	John Johnston ^A Gabriel Steele	Andrew Johnston Lewis Johnston
John Hinsey Moses Noddy	John Hinsey jun. James Wade	John Hinsey, J. James Wade	James Wade Edward Anstall
William Laurum Garrit Schenck	John Eaton James Grover	John Eaton James Grover	John Eaton Cornelius V. Devan
Josiah Ogden Joseph Bomell	Joseph Bomell John Cooper	John Cooper Benjamin Price	Joseph Bomell ^B Josiah Ogden
Robert L. Mosher Thomas Leonard	Thomas Wall Thomas Warner	Isaac Van Landt ^B George Van Ette	George Van Ette Peter Dumondt
William Broest Isaac Van Geizen	Peter Sommons Lawrence V. Bughink	Peter Sommons Lora. Van Bughink	Lora ^C . Van Bughink David Damant
John Allen Jonathan Wright	John Rodman Isaac Pearson	Isaac Pearson Richard Smith	Richard Smith Isaac Pearson
William Trent Thomas Lambut	Thomas Lambut Mahlon Starey	Mahlon Starey Joshua Wright	Mahlon Starey William Cooke
Samuel Cole John Michle	John Michle William Manison	William Manison Joseph Cooper	Joseph Cooper John Michle
John Mafon Thomas Mafon			
Isaac Sharp Barth ^W . Wyat	Joseph Reeves Thomas Mafon	James Whittenc ^A John Brick	William Hancock ^A Joseph Reeves
Murphy, Hughes Nathan. Jenkins	Nathaniel Jenkins Aaron Learning	Aaron Learning Henry Young ^C	Aaron Learning Henry Young
	John Porterfield Joseph Stout	John Porterfield Joseph Stout.	Benjamin Smith John Insley

- A Died, and Andrew Johnston elected in his stead, N. 17-p. 4. 18.
 B Died, and Beth Dumont elected in his stead, N. 17-p. 5. 20.
 C Died, and William Hancock elected in his place, N. 17-p. 4. 25.

List of the Members of Assembly

Countries & Cities	12 th Assembly, 1740.	13 th Assembly, 1743.	14 th Assembly, 1744.
City of B. Amboy	Andrew Johnston Lewis Johnston	Andrew Johnston Samuel Leonard	Samuel Nevill, S. Samuel Leonard
Middlesex	Thomas Farmer Robert Wade	Thomas Farmer Samuel Nevill	Robert Wade William Duke
Monmouth	John Eaton Cornel. Vandewater	John Eaton Robert Lawrence	John Eaton Robert Lawrence
Essex	John Lown John Nolph	Joseph Wornell George Ireland.	George Ireland John Crane
Somerset	John V. Middlefwardt Thomas Leonard	J. V. Middlefwardt Derick V. Veghte	J. V. Middlefwardt Derick V. Veghte
Weigen	Low. V. Bofkirch David Damareft	Low. V. Bofkirch David Damareft	Low. V. Bofkirch David Damareft
City of Burlington.	Richard Smith Isaac Pearson	Richard Smith Isaac Pearson	Richard Smith Isaac Pearson
County of Burlington	Mahlon Stacy William Cooke	William Cooke Thomas Shinn	William Cooke Thomas Shinn
Concester	Joseph Cooper John Mickle	Joseph Cooper John Mickle	Joseph Cooper John Mickle
Salem	William Hancock Richard Smith	William Hancock Leonard Gibson	Will. Hancock Moses Shepherd
Cape-May	Aaron Learning Aaron Learning, Junr	Aaron Learning John Willett	Merry Young Jacob Spicer
Mantredon	Benj. Smith Joseph Peace	William Mott Andrew Smith	William Mott Daniel Doughty

* His Election set aside and Daniel Doughty elected, see
p. 22 pages 19-61.

Continued

15. th Assembly, 1745.	16. th Assembly, 1746.	17 th Assembly, 1749.	18. th Assembly, 1751.
Samuel Nevill, S. Pontius Stelle	Samuel Nevill Pontius Stelle	Samuel Nevill, S. Lewis Johnston	John Stevens John Johnston
John Heard John Moores	Philip Preamer John Heard	John Wetherill James Smith	John Wetherill Shobal Smith
John Eaton Robert Lawrence	John Eaton Robert Lawrence, S.	John Eaton Robert Lawrence	Robert Lawrence James Holmes
John Crane John Low	John Crane John Low	John Crane Joseph Camph	John Low Robert Ogden
J. V. Middlefwardt Hendrick Fisher	J. V. Middlefwardt Hendrick Fisher	J. V. Middlefwardt Hendrick Fisher	J. V. Middlefwardt Hendrick Fisher
Low: Van Bofkirk David Damaust	Low: V. Bofkirk David Damaust	Low: V. Bofkirk Derick Dey	Derick Dey Cornel. V. Voigt
Richard Smith Daniel Smith	Richard Smith, jun. Daniel Smith	Richard Smith, jun. Daniel Smith	Charles Mead, S. John Deacon,
William Cooke Samuel Wright	William Cooke Samuel Wright	William Cooke Joshua Wiffham	William Cooke Barzillai Newbold
Joseph Cooper Ebenzar Hopkins	Joseph Cooper Eben. Hopkins	Joseph Cooper James Winckman	William Michle Joseph Ellis
William Hancock John Brick, junior	William Hancock John Brick	William Hancock John Brick	William Hancock Richard Woods
Aaron Learning, jun. Jacob Spicer	A. Learning, jun. Jacob Spicer	Aaron Learning Jacob Spicer	Aaron Learning Jacob Spicer
William Mott Daniel Doughty	William Mott John Embly	William Mott John Embly	William Mott John Embly,

List of the Members of Assembly

Counties & Cities	19th Assembly, 1754.	20th Assembly, 1761.	21 st Assembly, 1769.
City of B. Albany	John Stevens John Johnston L	John Stevens D Andrew Smyth C	Cortland Skinner. S. John L. Johnston
Middlesex	Samuel Nevill S. John Wetherill	Samuel Nevill, S. E John Wetherill	John Wetherill, Neune Nungon
Monmouth	Robert Lawrence, S. James Holmes	James Holmes S. Richard Lawrence	Robert Hartthorne Edward Taylor
Essex	Jacob DeWart + Richard Bradbury †	Robert Ogden. S. G John Ogden	John Ogden Stephen Crane, S.
Somerset	Hendrick Fisher John Hoogeland	Hendrick Fisher John Hoogeland, S	Hendrick Fisher John Benien
Weyon	George Veland Ninear Vangeson	Ninear Vangeson Theunis Dey.	Theunis Dey John Demarest
Morris			
City of Burlington	Charles Neads Samuel Smith	Samuel Smith H John Lawrence,	Abraham Newlings Joseph Smith
County of Burlington	Wazillair Newbold † Henry Baxton	Daniel Boughty Joseph Warden	Henry Baxton Joseph Bullock
Gloucester	John Ladd Samuel Clement	Samuel Clement F David Cooper	Robert Friend Price John Winckman
Salem	William Hancock Ebenezar Miller	William Hancock B Ebenezar Miller	Ebenezar Miller Isaac Sharp *
Cape-May	Aaron Learning Jacob Spicer.	Aaron Learning Jacob Spicer *	Aaron Learning Nicholas Stitwell N
Hunterdon	Joseph Yard Peter Mideah	George Reading John Hart	John Hart Samuel Tucker
Cumberland			
Sussex,			

* Died in 1765, and Nicholas Stitwell was elected in his stead.

† Accepted a Post of profit, and Robert Ogden chosen in his stead. N. 46. 8. 0
 † Sent vacatio N. 53 page 20. and John Ogden chosen. N. 54 page 5

continued

22 ^d Assembly, 1772.
Cortland Skinner, S. John Combs
John Wetherill John Moores O
Edward Taylor Richard Laurence
Stephen Crane Henry Ganitt
Hendrick Fisher John Roy.
Thomas Dey, Johannes Demarest
Jacob Ford William Winds
James Thinsley Thomas C. Hewlings
Henry Baxson Anthony Sykes
John Hinckman Robert F. Grier
Grant Gibbon Benjamin Wolme
Jonathan Mand Eli Eldridge
Samuel Tucker John Melhorn
John Sheppard Theophilus Elmer
Thomas Van Horn P Nathaniel Pettit

- A Died, and John Anderson chosen N. 61. p. 4 N. 62.
B Died, and Ed. Hensley chosen N. 62. p. 6. N. 63. p. 3
C Died, and Cortl. Skinner chosen N. 62. p. 6 N. 63. p. 6
D Summoned to the Upper-House, and John Johnston chosen N. 62. p. 26. N. 63. p. 6.
E Died, and Revere Runyon chosen N. 65. a. page 3. N. 65. b. p. 3.
F Died, and Samuel Clament chosen N. 65. b. page 3. N. 66. pa. 3.
G Resigned, and Stephen Crane chosen. N. 65. b. pa. 4. N. 66. pa. 3.
H Summoned to the Upper-House, and Tho. Rodman chosen, N. 66. pa. 5. N. 67. pa. 3.
J Died, and Ab. Van Neste chosen. N. 67. p. 3. N. 68 pa. 3
K Died, and Samuel Stokes chosen, N. 49. b. pa. 3. and N. 50. pa. 1.
L Died, and Andrew Smyth chosen N. 54 pa. 4. N. 55 pa. 3.
M Died, and Grant Gibbon chosen N. 71. pa. 3 and N. 72. a. pa. 3.
N Died, N. 72. a. pa. 6. and Jonathan Mand chosen N. 72. c. page 3.
O Died. N. 75. a. pa. 4 Azariah Dunham. chosen N. 75. b. pa. 3.
P. Died N. 75. a. pa 4 and Joseph Barton chosen. N. 75. b. pa. 14.



